

Delegated Decision Report

Application No:	26/0378	Statutory Period Expires:	10th August 2026
-----------------	---------	---------------------------	------------------

Site:	<i>Flat 2 31 Fields Road Newport South Wales NP20 5BP</i>		
Proposal:	<i>CHANGE OF USE OF THE UPPER FLOORS FROM A DWELLING TO A 6 NO. BEDROOM HMO INCLUDING ASSOCIATED WORKS</i>		
Applicant:	<i>Bellamore</i>		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	REFUSED		

1. BACKGROUND

- 1.1 The property has been previously subdivided into 2no. flats; therefore the application relates to the change of use of the upper floor flat only.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is located to the northwest of the Grade II* Newport Civic Centre. The four storey semi detached Edwardian property has an elevated position above Fields Road. To the rear lies a garden area and garage with access onto Fields Park Road. The building as existing is split into two flats with the proposed HMO use being located to the upper floor flat.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 Internal reconfiguration to form a six bedroom HMO with 4no. ensuites and 1no. communal bathroom, communal kitchen and lounge.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

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

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

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

- 5.2 Technical Advice Note 11: Noise
Technical Advice Note 24: The Historic Environment

- 5.3 Historic Environment (Wales) Act 2023

- 5.4 PLANNING POLICY WALES (EDITION 12) 2024

- 5.5 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP1 – Sustainability
- SP9 – Conservation of the Natural, Historic and Built Environment
- SP13 – Planning Obligations
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Protection and Public Health

- H8 - Self Contained Accommodation and Houses in Multiple Occupation
- T4 – Parking
- W3 – Provision for Waste Management Facilities in Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

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

6. CONSULTATION RESPONSES

6.1 Principal Heritage Officer: The property in question forms part of a c.1900 semi-detached pair to the north of Fields Road, forming part of the earliest development to the north of Clytha Park, within the grounds of Fields House. The building is not a heritage asset, nor is it located within any conservation area.

The building is located to the north-west of GII* Newport Civic Centre, visually separated by the swathe of mature trees which lines the asset's northern car park boundary. To the north-east, long views down Fields Road frame views of the GII Listed pair of Nos. 11 & 12 Gold Tops. To the south-west, lies the high-walled rear boundary to the properties of Westfield Road, a line conterminous with the northern boundary of *The Shrubbery* Conservation Area.

No external alterations are proposed as part of these works. As such, the setting of abovementioned listed assets will be preserved.

6.2 Drainage Officer: No response.

6.3 Planning Contributions Manager: The proposal represents a net nil gain in residential dwellings. As such, no affordable housing contribution is requested

6.4 Environmental Health Officer: I refer to the above application passed onto Environmental Protection for consultation. Having reviewed the supporting documentation, I confirm we have no objections in principle to the proposal. If permission is granted we propose the condition below:

Waste Storage and Recycling

There is a lack of information regarding the waste storage and recycling facilities that will be provided to serve the future development. Therefore, either additional information is required or the following condition is recommended; Prior to first beneficial use, a scheme for the provision of waste storage and recycling shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first beneficial use and thereafter maintained for the duration of the use.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Noise Insulation

Prior to first occupation, a scheme of sound insulation works to the floor/ceiling/(party wall) structure between flats shall be implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Construction Environmental Management Plan (CEMP)

A site-specific CEMP, outlining comprehensive dust suppression measures, vibration tracking, and a community liaison protocol, must be approved prior to site clearance.

Prior to the commencement of development, to include demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise,

vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

- 6.5 HMO Licencing Officer: No objection.
- 6.6 Gwent Police: No response.
- 6.7 Waste Manager: No response.
- 6.8 Highways Officer: No objection subject to conditions.

Highway Comments: The application contains no proposal for cycle storage. This should be addressed by way of condition. There is no assessment of parking or apparent on-site provision. The existing dwelling use would require three parking spaces and the proposed six spaces to meet current SPG requirements. Statistically however it is unlikely that a HMO would generate demand for six spaces, and any impact would be marginal. In summary there are no highway related objections, subject to the following condition.

Suggested 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.

- 6.9 Dwr Cymru/Welsh Water: The application appears to rely on existing sewer connections and no new connections are to be made with the public sewerage system. Nonetheless, for the avoidance of doubt, we would request if minded to grant planning consent that the following Condition and Advisory Notes are included 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. **Advisory Notes** *The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.*

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 18th June 2026 and a Site Notice was put up on the 3rd July 2026.

- 7.1 NEIGHBOURS: 16no. objections (summarised):
 - Parking pressure and demand
 - Existing on-street parking is already heavily oversubscribed in Fields Road and surrounding streets.
 - Concerns that a 6-bedroom HMO could significantly increase parking demand, leading to further congestion and difficulty for residents finding spaces.
 - Highway safety

- Additional vehicles may result in obstructive parking, including pavement parking and parking near junctions.
- Concerns raised regarding impacts on pedestrian safety, access for emergency vehicles, refuse collection vehicles, and the efficient operation of the highway network.
- Residential amenity
- Increased occupation compared with a single dwelling is expected to generate greater levels of activity, comings and goings, visitors, deliveries and use of outdoor areas.
- Potential adverse impacts from noise and disturbance to neighbouring occupiers, particularly adjoining properties.
- Overdevelopment / Intensification of use
- Objections argue that converting the upper floors to a six-bedroom HMO represents an intensive use of the property.
- Concerns that the scale of occupation would exceed what the building and locality can comfortably accommodate.
- Character of the area
- Concerns that the proposal would be out of keeping with the established residential character of Fields Road.
- Objectors consider the area to be predominantly family housing and believe the proposal could alter its character.
- HMO concentration and community balance
- Concerns regarding the cumulative impact of existing HMOs in the vicinity and the potential over-concentration of shared accommodation.
- Requests for verification of the applicant's claim regarding local HMO concentrations.
- Refuse and recycling
- Concerns that increased occupancy would generate additional waste.
- Questions raised regarding bin storage, collection arrangements, pavement obstruction, visual impact and litter.
- Privacy and overlooking
- Some neighbouring occupiers raised concerns that increased occupancy and use of windows/garden areas could result in a loss of privacy.
- Adequacy of supporting information
- Objections state that insufficient supporting evidence has been provided regarding parking impacts, transport, noise, waste management and residential amenity.
- Concerns raised about unsupported conclusions in the submitted Design and Access Statement.
- Effect on property values.
- Identity or residence location of the applicant/landlord.
- Ownership, leasehold arrangements, covenants and private property disputes.
- Speculation regarding future occupants, tenure, behaviour, or use by social services.
- Impacts on GP surgeries, schools, or public services without substantive evidence.

7.2 COUNCILLORS:

7.2.1 Councillor Evans: Can I endorse the comments made by Cllr David Fouweather, and strongly object to this application which will do nothing to enhance the area. There is already a shortage of parking in the vicinity, and this would just cause further problems.

7.2.2 Councillor Fouweather: I object to the proposed conversion of the property into a 6-bedroom HMO.

1. Over-intensive use of the site

The proposal would significantly intensify the occupation of the property compared with its existing use as two flats. A 6-bedroom HMO could accommodate a substantially greater number of residents, resulting in increased activity, comings and goings, deliveries, waste generation and general pressure on the site and surrounding area.

2. Impact on parking and highway conditions

The application proposes a 6-bedroom HMO without any off-street parking provision. Additional residents are likely to increase demand for parking in surrounding streets, placing

further pressure on existing on-street parking and causing inconvenience to local residents. The council should be satisfied that the development would not have an unacceptable impact on highway safety or parking availability.

3. Impact on neighbouring residential amenity

The property is a semi-detached dwelling and therefore shares a party wall with a neighbouring home. The increase in occupancy associated with a 6-bedroom HMO raises concerns regarding noise transmission, disturbance and loss of residential amenity for adjoining occupiers, particularly given the intensity of the proposed use.

4. Use of the rear garden

The rear garden is likely to be used by a larger number of occupants than under the current arrangement. Increased outdoor activity, especially during evenings, has the potential to create noise and disturbance affecting neighbouring properties.

5. Refuse and recycling

A 6-bedroom HMO is likely to generate substantially more waste than the existing accommodation. The application should demonstrate adequate refuse and recycling storage arrangements to prevent visual clutter, overflowing bins and adverse impacts on the character of the area.

6. Cumulative impact on the character of the area

The council should assess whether the proposal would contribute to an overconcentration of HMOs in Fields Road and the surrounding streets. A concentration of HMOs can alter the character of a residential area and reduce the mix of housing available for families and long-term residents.

7.2.3 Councillor Drewett: No response.

8. ASSESSMENT

8.1 Principle of Development:

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

8.2 Impact upon the Grade II* Listed Building

8.2.1 The Historic Environment (Wales) Act 2023 Section 96 sets out a statutory duty upon Local Planning Authorities to have special regard to the desirability of preserving –
(a) the listed building to which the application relates,
(b) the setting of the buildings, and
(c) any features of special architectural or historic interest the building possesses

8.2.2 The application site is located approximately 70m from the western elevation of the Grade II* Civic Centre. The Principal Heritage Officer notes the physical features separating the application site from the Civic Centre and that the scheme does not include any external alterations. It is therefore considered that the setting of the Civic Centre will be preserved in accordance with the statutory duty withing Section 96 of the Historic Environment (Wales) Act 2023.

8.3 Drainage

8.3.1 The comments from Dwr Cymru/Welsh Water relating to the attachment of a condition preventing the connection of surface water from any increased roof areas are noted; however as no alterations or extensions are proposed, the condition does not relate to the development under consideration and would therefore not accord with the six tests for the attachment of conditions as set out in the Circular 016/2014.

8.4 Planning Obligations

8.4.1 The proposed change of use would not result in a net increase in dwellings. The Planning Contributions Manager has therefore confirmed that no Section 106 contributions would be required.

8.5 Houses of Multiple Occupation and General Amenity

- 8.5.1 The application site is located within a 10% HMO threshold area, as such, the density of HMO's within a 50m radius of the application site are required to be below this threshold.
- 8.5.2 *Figure 1* below shows the 50m radius from the application site which encompasses 11no. properties which is above the minimum number of properties required in order to use the 50m radius concentration calculation.
- 8.5.3 Assessment of the planning history shows 1no. HMO within the 50m radius. Should the proposed HMO be granted this would take the total amount of HMOs to 20% of properties, which exceeds the accepted threshold of 10%.
- 8.5.4 As set out within the HMO SPG document, the 10% threshold is based upon evidence which is considered to represent the tipping point for the concentration of HMO's to result in adverse effects upon social cohesion and the character of the area. The other material planning considerations of the scheme are considered not outweigh the potential adverse effects of a high concentration of HMO properties. Therefore, the proposal is contrary to Policies H8 GP2. This assessment is consistent with the Councils adopted HMO SPG document and recent appeal decisions CAS-03975-Y8V2G1 and CAS-04178-T5C7L8 (see Appendix 1).

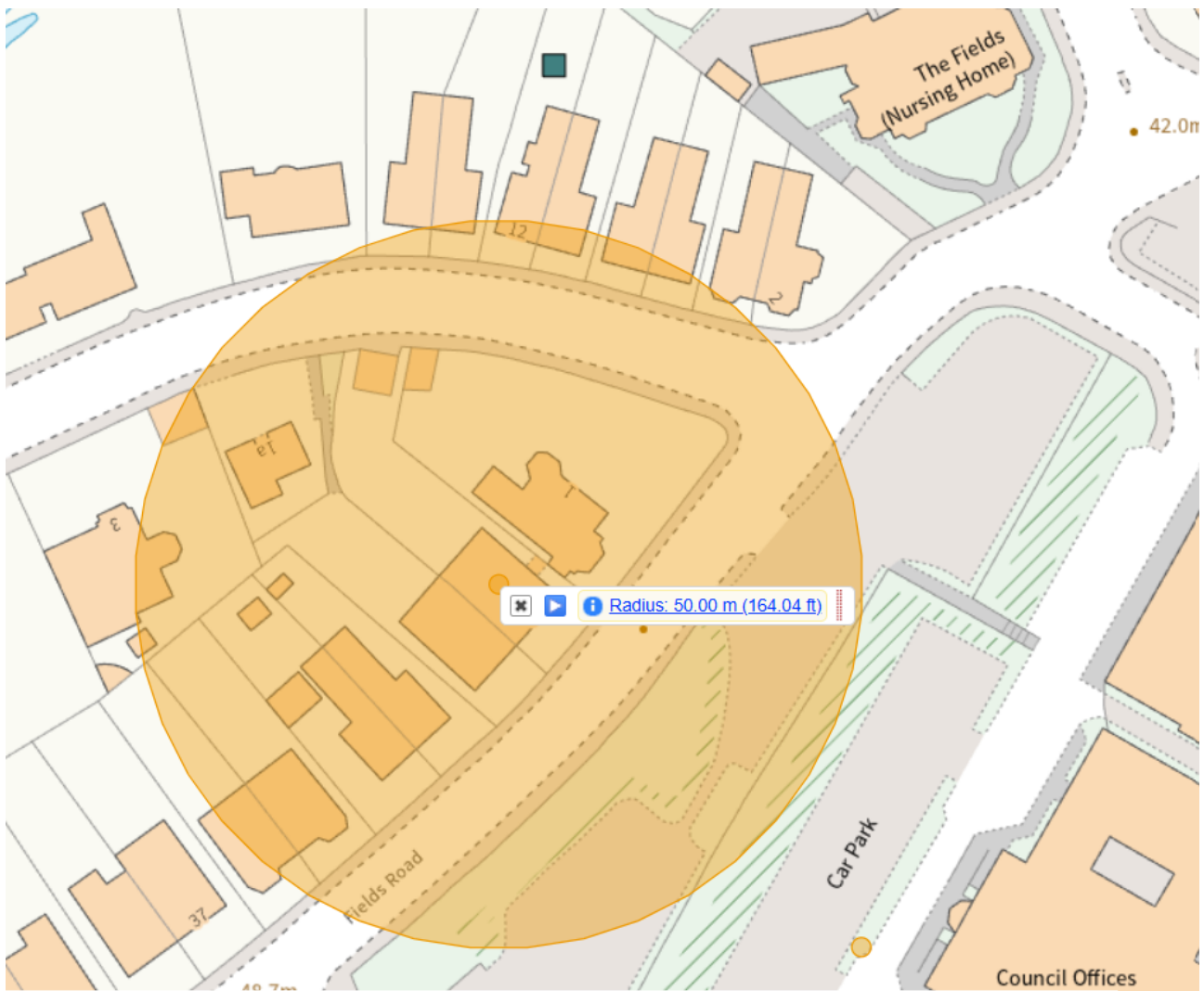


Figure 1: Image showing 50m radius from centre of application site.

- 8.5.5 The supporting information does not confirm the number of intended occupants, as such the following assessment is based upon 6no. persons, single room occupancy.
- 8.5.6 The Houses in Multiple Occupation SPG document outlines that each one person bedroom unit has a minimum room size of 6.51sqm, communal kitchens 7sqm, and communal lounges 10sqm.
- 8.5.7 The room sizes (sqm) are detailed below and exclude all associated ensuites:
Kitchen: 14.6

Lounge: 14
 Bedroom 1 (First Floor Bay Window): 16.9
 Bedroom 2 (First Floor): 18.5
 Bedroom 3 (Loft Floor above Bay Window): 20.5
 Bedroom 4 (Loft Floor front facing): 13.8
 Bedroom 5 (Rear): 14.4
 Bedroom 6 (Rear at Party Wall): 12.7

- 8.5.8 The room sizes afforded to future occupants all exceed the HMO Licencing requirements; however it is noted that the HMO Licencing requirements is a separate legislative regime which would not circumvent the need to be acceptable with relevant planning policies.
- 8.5.9 Numerous concerns have been raised by local residents and Councillors on the aspect of residential amenity for neighbours and future occupants. Given the proposed use as a C4 House of Multiple Occupation, the noises generated would be similar to that of the existing dwellinghouse given that the existing and proposed uses are by nature, residential. Furthermore, noise levels within a residential unit are controlled via separate legislation under Building Regulations 2010, therefore, to secure a scheme of noise insulation in the interests of future occupants would be considered as a duplication of controls thereby not meeting the six tests for the attachment of conditions as contained within Welsh Government Circular WGC 016/2014 (The Use of Planning Conditions for Development Management, Oct 2014).
- 8.5.10 Despite the above, the proposed relationship between existing and proposed uses, most notably the ground floor flat, are such that the proposed use of the upper floor flat for a six-person House of Multiple Occupation would result in a significant increase in pedestrian movements via the communal pedestrian access. It is considered that intensified use would be of such a level that this would be unneighbourly to an unacceptable degree within such close proximity to another distinct planning unit.
- 8.5.11 The supporting information sets out that future occupants shall be able to use the garden areas; however third party comments and direct comments from the agent on site confirmed that that rear garden and any other associated outdoor space are not under control of the applicant and would not be available to use by any future occupant.
- 8.5.12 Firstly, this raises significant concern that no future occupant would have any outdoor amenity space in which to relax or dry clothes. Secondly, any waste and recycling arising from the proposed use has no outdoor waste storage area space available. Nor is there any allocated space for the storage of bicycles. The Housing in Multiple Occupation SPG documents sets out at 5.4.3, that *'HMO's should provide outdoor amenity spaces in which residents can relax, dry their clothes and store refuse and recycling bins. Shared amenity spaces will be acceptable as long as they can accommodate every resident of the properties that they serve. In certain locations, such as the city centre or one of the district centres, the council may relax its requirements in respect of amenity spaces. Every HMO, however, must provide storage space for refuse and recycling bins.'*
- 8.5.13 The absence of any available outdoor space results in a significant adverse impact upon the amenity of any future occupier contrary to the requirements of Policy GP2 as there would be no space to relax and dry clothes, nor is there any outdoor space under the applicants control for the storage of waste and recycling.
- 8.5.14 It is noted that the site has an existing use as a dwelling, however its use as a unit occupied by a single household would result in the whole unit being available for potential space to relax and dry clothes. As such, the two uses and how they are used are not wholly comparable to justify the proposed HMO use.
- 8.5.15 The proposal does not include any additional built form to the host dwelling or additional window openings; therefore, the scheme would not alter existing relationships regarding overshadowing, levels of daylight and sunlight entering neighbouring properties, outlook or levels of privacy.
- 8.5.16 All rooms are served by a single or double window as per the existing layout. The side existing building has a separation distance with 1 Fields Park Road of approximately 3m. The

proposed rear bedroom would have an outlook onto the side elevation of 1 Fields Park Road. The width and height of the window in association with its vertical position relating to the internal floor level further restricts the outlook. The proposed bedroom in the context of a HMO use, serves as the primary private space whereby occupants are likely to spend most of their time. Given the height, proximity and presence of an existing window directly opposite at the neighbouring property this represents as demonstrable harm upon the living conditions of any future occupant resulting in inadequate living standards contrary to Policies GP2, H8 and Houses in Multiple Occupation Supplementary Planning Guidance.

8.6 Impact on Highways and Parking

8.6.1 The application site lies within Parking Zone 3; the Parking SPG document sets out that this area is *'Very much part of a substantial built up area with a number of basic local facilities within 400m walking distance. A range of bus routes offering up to 6 buses per hour; the range of destinations offering practical access to most but not all essential facilities. The curtilage of the site restricts, to an extent, what car parking can be provided. There are likely to be some restrictions on on-street parking and other available off-street parking is severely limited or non-existent.'*

8.6.2 The above description outlines the sites sustainable location near to a limited amount of local facilities within walking distance. Regarding the site specifically, there are no parking restrictions directly outside 31 Fields Road, however there are sections of parking restrictions south of the site along Fields Road and within the surrounding highway network.

8.6.3 The third party comments received outline the existing parking pressures on and around the site.

8.6.4 The Parking demand for the existing dwelling is 3no. off street parking spaces; the parking demand for the proposed HMO use totals 7no. spaces which represents as a theoretical increase in parking demand.

8.6.5 The application is not supported by a Parking Survey to demonstrate what parking is available on or around the site. It was noted during the site visit that the Case Officer viewed significant demand for parking. The Highways Officer raises no objection to the lack of dedicated parking. Due to the highly sustainable nature of the site no concern or objection is raised in respect of parking provision as the proposal is considered to accord with the aims and objectives of local and national planning policies which seek to reduce the amount of off street parking within suitable, sustainable locations and to facilitate the modal shift away from trips made by private vehicles, this accords with the aims of Llwybr Newydd: the Wales Transport Strategy, which sets a mode share target of 45% of journeys to be made by walking, cycling and public transport by 2040, Policies 2 and 12 of Future Wales, Planning Policy Wales 12 (4.1.50 - 4.1.53) and Objective 2 and Policy SP1 of the Newport City Council LDP.

8.6.6 The proposed layout and lack of access rights to the rear amenity space result in no form of bicycle storage being made available to future occupants. As there does not appear to be an opportunity to provide suitable bicycle storage, this forms a further reason for refusal and would not contribute toward the national policy objectives to facilitate modal change.

8.7 Biodiversity

8.7.1 In respect of ecology and biodiversity the site as existing comprises of a residential dwelling and all floors are available for occupation. The loft has already been converted into living space. The site offers little in terms of ecological value and the potential habitat for bats or other European Protected Species is limited.

8.7.2 Planning Policy Wales (Ed.12) sets out that "Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non-native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems" (para 6.4.5). This element and subsequent requirements in Chapter 6 of PPW respond to the Section 6 Duty of the Environment (Wales) Act 2016.

8.7.3 The proposal does not include a Green Infrastructure Statement as per national policy requirements. Therefore, this forms a further reason for refusal.

8.8 **Waste and Recycling**

8.8.1 The proposal has no outdoor space available for the storage of waste and recycling as the area of land is not under the applicants control according to the third party and agents comments. Therefore, the application is not supported by sufficient information to demonstrate that the waste and recycling receptacles as required by the Waste Storage and Collection SPG can be accommodated. Therefore, the proposal does not accord with the requirements of Policy W3.

8.9 **Other Matters**

8.9.1 Concerns have been raised regarding the loss of a 'family home' and the background of potential occupants. The background of a person is not a material planning consideration and as such the considerations are focused upon the proposed C4 use class to provide accommodation for up to 6 unrelated persons, regardless of how they have come to occupy the dwelling.

8.9.2 Property values and the identify & location of the applicant are not material planning considerations and are therefore afforded no further consideration. Any issues arising regarding ownership or access issues are civil matters which extend beyond the scope of the considerations of this application. As the proposal would not result in a net gain in residential dwellings, there is no applicable mechanism available to secure any additional funding toward affordable housing, leisure or schools.

9. **OTHER CONSIDERATIONS**

9.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 **Newport's Well-Being Plan 2018-23**

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

10.1 The proposal would result in harm upon social cohesion, HMO density, residential amenity and biodiversity contrary to national and local planning policies.

11. DECISION REFUSED

01 The proposed development would result in an overconcentration of Houses in Multiple Occupancy within the area in excess of the 10% threshold as set out in the Houses in Multiple Occupation Supplementary Planning Guidance (Adopted January 2017). The overconcentration would have an adverse impact upon social cohesion, the character of the locality and general amenity of existing and future residents. The proposal is contrary to Policies GP2 and H8 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

02 The proposed intensification of the use of the upper floor flat as a House in Multiple Occupation (HMO) (Use Class C4) would, by reason of the increased level of activity, noise and general comings and goings associated with the occupation of the premises, result in an unacceptable adverse impact on the living conditions and residential amenity of the occupiers of the ground floor flat. The proposal would therefore be contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).

03 Insufficient information has been submitted to demonstrate accordance with the Step-Wise Approach as set out within Planning Policy Wales (Ed.12) and thereby would not result in a biodiversity net gain contrary to the requirements of Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

04 The proposed development fails to provide waste and recycling storage facilities, with insufficient space being made available to accommodate the required waste and recycling receptacles. The proposal therefore fails to accord with the requirements of Policy W3 of the Newport Local Development Plan 2011-2026 (Adopted January 2015) and the Council's Waste and Recycling Supplementary Planning Guidance.

05 The proposed development fails to provide any outdoor amenity space to serve any future occupant thereby prohibiting basic residential amenities to dry clothes and access to outdoor space resulting in demonstratable harm on the living conditions for any future occupant contrary to the requirements of the Houses in Multiple Occupation SPG, Policies GP2 and H8 of the Newport Local Development Plan 2011-2026 (Adopted January 2015)

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Site Location Plan (Received: 15.06.2026)
- Design and Access Statement (Received: 18.05.2026)
- Proposed Plans (Drawing ref: (3)005)
- Proposed Plans (Drawing ref: (3)004)
- Existing Plans (Drawing ref: (3)003)
- Existing Plans (Drawing ref: (3)002)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, SP13, GP2, GP4, GP5, GP6, GP7, H8, T4 and W3 were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.



Appeal Decision

by Nicola Gulley MA MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 13/06/2025

Appeal reference: CAS-03975-Y8V2G1

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

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

Decision

1. The appeal is dismissed.

Main Issues

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

Preliminary Matters

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

Reasons

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

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

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

Conclusion

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

Nicola Gulley

INSPECTOR



Appeal Decision

by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 11/09/2025

Appeal reference: CAS-04178-T5C7L8

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

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

Decision

1. The appeal is dismissed.

Application for Costs

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

Procedural Matters

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

Main Issue

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

Reasons

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

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

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

Other Matters

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

Conclusion

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

L. Hughson-Smith

INSPECTOR