



Appeal Decision

by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 24.04.2026

Appeal reference: CAS-04663-K4D5H0

Site address: 28 Brynglas Road, Newport NP20 5RZ

- 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 Mr. Grainger Jones against the decision of Newport City Council.
 - The application Ref 25/0496, dated 19 June 2025, was refused by notice dated 3 September 2025.
 - The proposed development is the change of use from a 3-bedroom dwelling (C3 use) to a 5-bedroom house in multiple occupation (C4 use).
 - A site visit was made on 10 March 2026.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During my site visit I observed that some internal works had taken place, however, it was not clear to me whether these related to the existing residential use or the proposed use. I have determined this appeal based on the submitted plans.
3. I have taken the description of development from the appeal form and decision notice rather than the application form since it more accurately describes the proposal.

Application for Costs

4. An application for costs has been made by Mr. Grainger Jones against Newport City Council. This application is the subject of a separate Decision.

Main Issues

5. These are the effect of the proposal on highway safety, and the living conditions of prospective occupants.

Reasons

Highway Safety

6. The appeal property is a mid-terraced house located along Brynglas Road, close to Malpas District Centre and on the outskirts of Newport city centre. It is positioned near

the junction with Malpas Road, an arterial route into the city, and opposite Aston Crescent. The proposal seeks permission to change the use of the appeal property from a 3no. bedroom house to a 5no. bedroom House in Multiple Occupation (HMO).

7. The surrounding area is primarily characterised by terraced housing, much of which does not benefit from off-street parking. Whilst double yellow lines are present on both sides of the road outside the appeal property, there is unrestricted parking elsewhere along Brynglas Road and within the surrounding streets. During my site visit, which I acknowledge only represents a snapshot in time, I observed a high parking demand, with limited unrestricted spaces available.
8. Newport City Council Local Development Plan (LDP) Policy GP2 permits development where there will not be a significant adverse effect on local amenity and LDP Policy H8 requires that proposals to subdivide properties into HMOs will only be permitted if, amongst other things, they will not result in on-street parking problems. LDP Policies GP4 and T4 require development proposals to make adequate provision for car parking in accordance with the adopted parking standards, which is also reinforced by the Council's Houses in Multiple Occupation Supplementary Planning Guidance (HMO SPG). There is no dispute between the parties that, when assessed against the Council's adopted Parking Standards Supplementary Planning Guidance (Parking Standards SPG), the proposal would result in a shortfall of up to three parking spaces compared to the existing use.
9. Notwithstanding this, Planning Policy Wales (Edition 12) (PPW) is clear that parking standards should be expressed as maxima and that parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.
10. The appeal site is in a highly sustainable location. It lies within a short walking distance of Malpas District Centre, which provides a range of facilities, services and shops. It is also within 300m of a bus stop and a reasonable walk or cycle to the city centre. The proposal also provides secure cycle storage, and whilst located in the rear garden, there is rear access and, in any event, it is not an uncommon practice to take bicycles through terraced properties. Therefore, I am satisfied that future occupiers would have realistic alternatives to the private car to access services, facilities and employment opportunities within the local area and city centre. This is reinforced by the appellant's Sustainability Appraisal, which has been carried out in accordance with the advice contained in the Parking Standards SPG.
11. I have seen no cogent evidence to persuade me that future occupiers would be likely to rely on the private car as a matter of choice, convenience or working patterns, and, regardless, such assumptions do not form the basis for assessing sustainability in policy terms. It is my view, given the sustainable location of the appeal site, that the proposed HMO would be more attractive to those without regular access to a private car. It is, therefore, my view that rather than increasing demand for on-street parking, the proposal is more likely to limit the reliance on the private car in accordance with the aims of PPW.
12. The Highway's Authority has referred to other appeal decisions relating to HMOs (references: APP/A2280/X/25/3361753, APP/U5930/W/25/3358472 and APP/C3810/C/24/3336222). However, I have not been provided with the full details of each case to enable me to draw meaningful comparisons with the case before me. In any event, highway safety considerations must be assessed based on the specific highway conditions in each case and the evidence presented. Therefore, it would be rare for any two cases to be exactly the same and I have determined the appeal on its own merits.

13. Turning to the parking survey evidence, I acknowledge the Highway's Authority's concerns. I also have reservations relying on the survey findings, given it was undertaken on two early mornings on the 4 and 5 July 2025 and may not fully capture parking demand associated with daytime commercial activity, noting nearby commercial uses along Brynglas Road and Malpas Road. Furthermore, limited supporting information, such as dimensioned drawings, has been provided to demonstrate the calculation of the amount of existing available on-street parking is accurate.
14. Regardless of this, the survey indicates a high level of parking stress, with on-street capacity at around 95% during both survey periods. In practical terms, this suggests that the availability of on-street parking is extremely limited at peak residential times, and that drivers may need to circulate to find a space.
15. These findings are reinforced by representations from residents and the local councillor, which point to high parking demand arising from a combination of residential, commercial and community uses. This can result in residents having to park at a distance from their homes, which may create practical difficulties for some households, particularly when carrying shopping or accompanying young children. Concerns are also raised regarding the effective narrowing of the carriageway due to parking which affects traffic flow, exacerbated by congestion, including from school traffic, and the use of local streets for parking vehicles associated with a nearby garage. Given these factors together with my own site observations, I am of the view that competition for on-street parking is extremely high during peak periods, which can give rise to instances of inconsiderate or indiscriminate parking and can lead to inconvenience for residents.
16. Nevertheless, I am satisfied, having regard to my findings above, that the proposal would not materially increase parking demand and, therefore, would have minimal effect on existing local highway conditions and local residential amenity. I, therefore, conclude the proposal would not have a harmful impact on highway safety and accords with LDP Policies H8, GP2, GP4 and T4. It would also accord with the Parking Standards SPG and HMO SPG.

Living Conditions

17. Both LDP Policy H8 and GP2 states that development will be permitted where, amongst other things, it has adequate amenity for future occupiers. The HMO SPG advises that, amongst other things, rooms should be arranged and designed in a manner that maximises the living standards for occupants.
18. During my site visit, I observed that the two bedrooms on the first floor at the front of the property are modest in size and irregular in shape. The presence of the existing bay window and the subdivision of the original space results in awkward projections within both rooms. In one of the bedrooms, the usable floorspace is further constrained by a chimney breast and dog-legged entrance area resulting in part of the floor space needed for circulation rather than useable space. Collectively, these factors result in inefficient and fragmented layouts that significantly limit the functional floor space of both rooms. In the absence of substantive evidence to the contrary, I am not satisfied that these bedrooms would comfortably accommodate a single bed alongside essential furniture without leading to cramped and constrained accommodation.
19. I acknowledge the scheme has been amended to reduce the number of bedrooms and that the overall accommodation would benefit from windows to habitable rooms, a reasonably sized communal living room and outdoor amenity space, two shower rooms and dedicated bin and cycle storage. I also note that HMO accommodation is subject to a licensing regime, and the accommodation, including the bedrooms, largely meet or exceed the associated space standards. However, licencing is a separate legislative

process to planning and does not override the need to comply with the requirements of planning policy.

20. Bedrooms in HMO accommodation provide primary private and secure space for occupiers to sleep, relax and store personal belongings. In this case, the limited and poorly configured useable floor space of the front two bedrooms would materially reduce their usability and quality, resulting in an inadequate standard of accommodation for prospective occupiers. I am not persuaded that the provision of communal space and other facilities sufficiently mitigates these deficiencies. I, therefore, conclude the proposal would be harmful to the living conditions of prospective occupants in conflict with LDP Policies H8 and GP2 and the advice contained in the HMO SPG.

Conclusion

21. I have found that the proposal would be acceptable in terms of highway safety, however the harm to the living conditions of prospective occupants is significant and a compelling factor that has led to my decision. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.
22. 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