

APPLICATION DETAILS

No: 26/0019 **Ward:** St Julians

Type: Full

Expiry Date: 3rd April 2026

Applicant: T Stratton

Site: 220 Caerleon Road Newport NP19 7GQ

Proposal: **CHANGE OF USE FROM A 3 BEDROOM DWELLING (C3 USE) TO A 5 BEDROOM HOUSE IN MULTIPLE OCCUPATION (C4 USE) INCLUDING THE ERECTION OF A SINGLE-STOREY REAR EXTENSION**

Recommendation: GRANTED WITH CONDITIONS

1. INTRODUCTION

- 1.1 This application seeks full planning permission for the change of use of a property from a three bedroom dwelling to a five bedroom House in Multiple Occupation (HMO). The proposals also include a single storey rear extension.
- 1.2 A 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. The proposed 5no. bedroom HMO falls into the C4 Use Class which allows between 3 and 6no. unrelated occupants to reside and share amenities.
- 1.3 The application is reported to Planning Committee at the request of Councillor Hourahine due to concerns relating to inadequate parking and impact on social cohesion.
- 1.4 The current layout includes a hallway, lounge, dining room, kitchen and w.c. at ground floor and three bedrooms and a bathroom at first floor. The proposed layout shows a hallway, two en-suite bedrooms, communal kitchen and living area at ground floor. At first floor, three en-suite bedrooms are shown. The property has a small forecourt to the front enclosed by a low wall and an enclosed rear garden. The proposed plans show cycle storage within the rear garden.

2. RELEVANT SITE HISTORY

None.

3. POLICY CONTEXT

- 3.1 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

- 3.2 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 – Sustainability;

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 – Waste.

3.3 SUPPLEMENTARY PLANNING GUIDANCE

PARKING STANDARDS SPG;
 HOUSES IN MULTIPLE OCCUPATION;
 WASTE STORAGE AND COLLECTION.
 WILDLIFE AND DEVELOPMENT SPG

4. CONSULTATIONS

- 4.1 Dwr Cymru Welsh Water: We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. We recommend that the existing private drainage on site should be utilised to avoid any new direct connection to the public sewerage system.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

- 4.2 Gwent Police: I have reviewed the development plans through the Newport Planning portal reference 26/0019. Should any of these drawings be revised with significant alterations to the building design, layout, and/or specification level can I please request these are forwarded on.

To support my recommendations around the design and layout, physical security requirements, and product recommendations I have reviewed the crime statistics for the ward area (St Julians) and specifically the proposed development site location of Caerleon Road for a 12-month period between 01/02/2025-01/02/2026

From a Policing perspective the development is located in the Newport County Borough Council area, within the Maindee section and the ward area of St Julians. St Julians is one of six Wards within the Maindee section.

The analysis of the statistics for the development location has focused on crime/incident types that could potentially pose a threat, risk, or harm to the development and users of –

Crime/Incident Type	Section - Maindee	Ward - St Julians	*Site – Caerleon Rd	Demand % Ward v Site
Anti-Social Behaviour	825	200	10	5%
Residential Burglary	102	27	2	7.4%
Criminal Damage	467	101	7	6.9%
Theft(non-shoplifting)	209	35	3	8.5%
Vehicle crime	281	53	5	9.4%
Bicycle Crime	22	6	1	16.6%

**Site indicates with close proximity (same street, nearby/adjacent streets/roads of the*

proposed planning application.

I note that this development is proposed to be used as an HMO. At present there is currently no other HMO property within a 50-meter radius of the proposed development. Should the Planning Committee approve the application, recommends condition to ensure the property is licensed and a management plan provided.

5. INTERNAL COUNCIL ADVICE

5.1 Highways:

Highway recommendation:

No objection subject to conditions.

Highway Comments:

The development is not compliant with Newport's parking SPG. A parking survey and a sustainability report have been submitted to support the application.

In terms of policy the sustainability report does not help as it can only be used to reduce numbers to one space per household and the requirement is only one space per household.

The parking survey does not follow the requirements of the Lambeth Methodology, so should be given little weight. It does however demonstrate that there is no practical capacity with adjacent highways experiencing very high demand. It has photos of spaces for each night of the survey, but these are not identified locations or time/date stamped.

There is a lot of data available to show that actual demand for a HMO is less than the requirements of the SPG. It is not possible to predict the exact demand for any specific HMO.

There is no access to the rear therefore bin and cycle storage is not catered for appropriately. This however remains the case regardless of the use as a home or HMO. Cycles must be dragged through the halls /kitchen etc which is not easy or appropriate. Bins will be stored at the front. There is a concern that there is nobody responsible for retrieving them after collection and they can be a permanent obstruction and amenity issue on highway.

Cycle storage is proposed but is not weatherproof therefore not fit for purpose. This should be addressed via condition.

Based on the above there are no formal objections subject to the following conditions.

Suggested Conditions:

Notwithstanding the submitted cycle parking detail, and except for site clearance and remediation, no development shall take place until a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

5.2 Environmental Health Licensing: I confirm I have no objection regarding the proposal for the conversion of 220 Caerleon Road, Newport, NP19 7GQ into a House in Multiple Occupation.

5.3 Waste Manager: We would anticipate the property receive a single 120l bin for kerbside collection with recycling bags, boxes for kerbside collection also with one council tax paid on the property as a whole.

6. REPRESENTATIONS

6.1 NEIGHBOURS: All properties within 50m of the application site were consulted (99 properties), a site notice displayed. 42no responses received in objection and a petition with 15no signatories. Objections summarised as follows:

- The additional vehicles this property will bring to the street is dangerous, the street is already more than at capacity. Police cars race along the street at speeds in excess of 40-50mph, with blue lights on, 3-4 times a day. It is a major bus-route. Cars which are already here line the street, half parked on the pavement, half on the road, and bumper to bumper.

Residents already cannot park near their homes, especially when returning in the evening, when it is dark and you are the most at-risk.

-The additional bins which a 5-bed HMO would bring to the street is unacceptable, the street is already packed on bin day, the amount of pavement left by the parked cars is not much bigger than the size of the bins, meaning that the street is like an obstacle course for adults, and children from the multiple local schools and nurseries, not to mention plain dangerous for bikes, pushchairs and disabled people. Even when it is not bin day, for houses on this street to have that many bins in the tiny front garden is an eyesore and a vermin risk. Be under no illusion that the residents of this property will take their bins to the extension area at the rear of the property, to do so would mean taking all of their wet and dirty bins through the house, as there is no rear access.

-There are other areas of Newport which would be much more suited to this type of property.

- The street is not suitable for an HMO, there is not enough room for additional cars to park, the parking, as it is, is hazardous, both sides of the street are lined with parked cars on the pavements, we often have to park on other streets and walk around to our house when we get home as the street is already full. Students from multiple schools in the area use Caerleon Road to get to and from school and this would increase the risk to those children. A 5-bedroom HMO brings the potential for 10 additional cars, but even the 5 would be too much.

-My main concerns and objection to this planning application, centre around the already severe issues with the footpath/pavement access on this street due to the parking restrictions on this road. There has already been an incident where I have had a car physically hit me with its wing mirror, albeit without injury, as I was forced on to the road to get around a vehicle and the bins that were out for collection on Wednesday's. This incident occurred as when the bins are put out it can often be very difficult to walk the footpath.

-This road has parked cars, both sides with every car on one side, the planned HMO side, parked halfway on the pavement and many cars on the other side parked on the pavement. As it stands it is difficult to walk the footpath from one end to the other, especially with families with young children in prams. I have on more than one occasion seen them struggle to get past vehicles.

-The change of use will inevitably mean more cars parked on this road which is already beyond capacity, not only from the residents but from visitors and deliveries being made. There will also be more bins put out on to the path, sometimes left out for days on end as I can see by other properties in the area.

-These properties are completely unsuitable for high occupancy, not only for the parking and pathway issues, but there is no rear access to these properties. Bins can not be kept out the back, they will have to be kept out the front, and with 5 occupants or more there will be more bins.

-I am an elderly woman with some mobility issues and already find it difficult enough to visit my daughter, without an increase in obstructions of the footpath, particularly on the bin collection days, that will inevitably occur.

-I have already had one incident that could have resulted in serious injury due to access issues on the foot path. This will most certainly make the access issues worse, is putting my life at further risk.

-Parking is already overstretched, dangerous and stressful. To add a potential of another minimum 5 cars/work's van is just not doable or safe on this extremely busy road.

-There are already a high concentration of HMO's in the area which negatively impacts on community cohesion. If the Council continues to approve HMO's in this area you are going to force single families living in this area to move away.

-Turning this 3 bedroom family home into another 5 bedroom HMO would reduce single-family homes, harm the area's character and would also negatively affect community spirit.

-The back garden on this property is small and overlooks other resident's properties, which means they will lose their privacy and will be negatively effected by noise, disturbance and extra waste that a 5 bedroom HMO will bring. There is not enough room for an extension in the back garden and the erection of an extension will cause a lot of disruption/noise for the residents of Caerleon Road. It will adversely affect their standard of living and why should existing residents suffer for the sake of people who want to use family homes as businesses.

-The current resident concerns surrounding antisocial behaviour that comes with multiple occupancy houses needs to be seriously considered.

-The single storey rear extension which will be used as a communal area, will bring this

property close to the boundary with my property. With the number of people potentially using this and as plans do not include sound proofing, it will likely result in significant increase in noise and anti social behaviour which will impact all properties in the locality.

- The increase in bins and rubbish will result in rats and vermin, fire and public health hazard for all as well as increased noise due to the intensified use from single dwelling to 5 bedroom HMO.
- There will be an impact on already overburdened systems and services e.g. sewage, water, doctors etc. Other HMO's in the locality and wider Newport area have resulted in increase in noise, anti social behaviour and crime with a significant detrimental impact on the health and wellbeing of residents.
- The applicant lives in West Wickham and there is no mention of any proposal for local management of the property. Concern that he does not know nor care about the area and his only interest is making money with no consideration about any detrimental impact on Newport resident.
- Many families live along this road.
- There are several schools nearby.
- This will be far better situated in the city center not on a busy residential street.
- HMOs produce more waste so there are concerns around environmental health.
- With more people in one building noise will also be a factor for those living in the vicinity.
- It's also a shame to take what could be a perfectly good family home out of the market.
- My objection is based on the following material planning considerations:
 - A change to a 5-bed HMO is likely to increase the number of adult occupants, and typically results in higher car ownership, more frequent visitors, and more deliveries. Even a modest increase in parking demand here is likely to, reduce visibility and safe passing widths; increase conflict and hazards for drivers and pedestrians, risk restricting access for service and emergency vehicles.
 - A 5-bed HMO represents a material intensification compared with a single household home. With more occupants, there is a greater likelihood of late/early arrivals and departures, increased door and vehicle noise, more frequent use of the rear garden/outdoor space at varying times, generally higher level of day-to-day activity than a typical family dwelling. Because the site is immediately adjacent, these impacts would be experienced directly by neighbours and would harm residential amenity in a street that is primarily family housing, including families with young children.
 - The proposed single-storey rear extension has the potential to harm adjoining amenity through loss of privacy and increased perceived overlooking to neighbouring rear rooms and gardens, overbearing impact and change to the sense of enclosure at the shared boundary, potential loss of light and increased overshadowing to the neighbouring rear garden / rear-facing rooms (particularly if the extension is deep or close to the boundary).
 - As the neighbouring property is very close (terraced form), even a single-storey extension can have a significant cumulative impact, especially when combined with the intensified use from a 5-bed HMO.
 - The immediate area/street is predominantly family housing. The change from a C3 dwelling to a 5-bed HMO (C4), particularly next door, risks creating an intensity of activity that is out of keeping with the established character of the street.
 - The proposal should be assessed not only as a change of use, but for its real-world intensity, including comings/goings, noise, refuse generation and parking demand. In my view, this proposal represents over-intensification for this location and would undermine local residential character and amenity.
 - A 5-bed HMO will generate significantly more refuse and recycling than a typical single household home. Unless there is demonstrably adequate, well-designed, non-intrusive space for bin storage and collection.
 - If the Council is minded to approve any part of this proposal, the following will need to be considered: restricted working hours (including weekends), contractor parking and delivery arrangements (to avoid blocking the road/footways), measures for dust, noise and vibration control, keeping the footpath safely passable at all times, making an enforced requirement to prevent any construction or delivery vehicles from parking on the pavement.
 - If this is approved, families and disabled residents living here will have no opportunity to park our cars close to home. We are frequently parking our car on St Julian's Avenue, 3 streets away which is unacceptable. My husband is disabled and wears a surgical neck brace and depends on the car for his mobility.
 - From Heather Road to the motorway, on both sides of the road there are yellow lines indicating no parking. The residents from those houses, along with residents in the side

roads are parking along the road.

-Caerleon Road is also a main route to the Grange Hospital, there is already difficulty for emergency services and buses to navigate the traffic and for residents to walk across the road safely.

-The proposed planning request will bring short term tenants to the area that will have no respect for residents, neighbours and families living on Caerleon Road. We do not need untidy front gardens, broken furniture, mattresses, overflowing waste bins attracting rats and pests, noise pollution, antisocial behaviour and ongoing general disruption from HMO properties. There could be 10 people or more living the property that have no interest in investing in our community.

-This is a blatant opportunity for the landlord of this property to generate long term significant money /rents without a thought for the impact on the residents and our community.

-It is imperative that Newport planning department do not push this through under another loophole to cover off the HMO scandal in Newport and sidestep this under another name, i.e. flats, apartments etc as they have done before.

-We are appalled that Newport Council are even considering this proposal, it is shocking.

-There is no evidence to suggest that the use of the property as an HMO wouldn't have any impact on neighbourhood amenity. In other nearby HMO's in and around the Caerleon Road area show extremely dirty and untidy front gardens with overflowing waste bins attracting rats, vermin and foxes. I have also personally witnessed unacceptable levels of noise, disturbance and anti social behaviour from HMO inhabitants.

- Turning family homes into HMO's also changes the character of an area, with lots of strangers coming and going. I also know from experience further down Caerleon Road nearer Tesco, that the tenants in these properties do not take care of the houses they live in, and leave their rubbish and recycling to pile up and attract rats. I know because I have had this problem in the house next door, which you can check by referring to your Environmental Health Department, who had to intervene a year or so ago.

-I question the viability of granting permission to build a big extension as this will involve even more heavy traffic and skips and builders wagons in an already congested street. It would be a very onerous development to all neighbours in this area if such a negative development were to be granted permission. These are family homes and not intended for multiple occupation.

-I believe that Caerleon Road is over the 10% proportion of HMO property. I have already noticed a huge impact on the area in regards to overpopulation.

-It will definitely have an impact on our house prices too. Caerleon Road was once a lovely road, a lot of elderly people that once felt safe, do not anymore and hardly leave their homes.

-There is absolutely no evidence whatever to support the contention that the occupants are less likely to have cars. The provision of a fairly erratic bus service (it is not unknown for three buses to arrive at the Oak Street bus stop with a couple of minutes of each other) is not likely to provide an alternative to the use of a car if the driver works somewhere beyond the direct bus route to the city centre where a second bus journey would be necessary. It is also a fact that cars are used for leisure journeys to places well beyond the areas served by the Newport public transport system and, indeed, are not served by any form of public transport.

-The parking surveys submitted as part of this application show an alarmingly low level of availability on the two occasions covered. We arrived home at 20:15 on the evening of 15th December 2025 and were unable to find a parking space anywhere within the area covered by these surveys and were fortunate enough eventually to find the last remaining space in Hubert Road to the rear of our property. I am disabled and the extra walk that this entailed caused me left me exhausted and in additional pain.

- Although lower car ownership this might be a laudable aim for future developments it is certainly nowhere near to achieving its ambition.

-This stretch of Caerleon Road is occupied primarily by families, some new to the area with young children, some more established young families, and some much older people who have raised their families and lived in the neighbourhood for many, many decades. There is a community atmosphere in the neighbourhood which encourages residents to take pride in their homes and look after each other. Unfortunately, HMOs tend to be occupied by a rapid churn of tenants such as students, people experiencing personal difficulties such as addiction, people involved in criminal behaviour, and asylum seekers. Short term tenants often have little interest in becoming involved in either looking after the neighbourhood or

the welfare of the people living in it. For example, by being mindful of their behaviour, language, noise and rubbish accumulation.

-The tenants of HMOs probably feel like outsiders, and present a potential risk to children and older vulnerable people who live in the neighbourhood. The effect of allowing an HMO to be situated here may be to fragment the neighbourhood, and may possibly cause conflict both between unrelated tenants within the HMO and with other residents in the neighbourhood.

-It seems to me that because HMOs tend to be occupied by a rapid churn of tenants, and possibly less effective communication with landlords, they may be more susceptible to poor levels of building management and present risks to other properties in relation to gas and electric systems and appliances.

-The local services in the area are stretched to limit already.

6.2 COUNCILLOR HOURAHINE: Reference this planning application, I would like it called in and dealt with by committee. The reasons being a lack of parking and the breakdown of community cohesion.

6.3 COUNCILLOR TOWNSEND: I had a look at the house in question this morning.

Other HMOs have been applied for in the past and my objections for 220 are similar to those made in the recent past.

Caerleon Road is a busy main route, with few parking spaces to be had.

To accommodate five, unrelated people, in a small house is ludicrous. Parking is just one issue, but extra bins would be required, recycling bags would need to be doubled - causing further clutter on pavements and path.

Five people put extra strain on services and anti-social behaviour can sometimes be a problem.

But the main concern is about squashing five adults into a house where there would be one "living room", If an individual tenant wanted to use the room - to entertain a friend or family, the others would have to spend their time in a bedsit.

It is not right to constrain people in this way, even if rents are reasonable. HMOs take family houses out of use, thereby reducing community cohesion.

Finally, St Julians has more than enough of these conversions so this application should be refused or amended to something smaller.

7. ASSESSMENT

7.1 The application property is a mid-terrace dwelling set over two storeys on Caerleon Road. It is situated in an urban area on a main thoroughfare in and out of the city centre. This part of Caerleon Road is predominantly residential in character. Caerleon Road District Centre is located within 200m of the site to the south.

7.2 The single storey rear extension would measure 3.3m in width, 2m in length and 3.7m in height with a sloping roof. No windows or doors are proposed within the extension. The finish is shown to be slate roof tiles and pebbledash to elevations. The proposed extension is of a small scale and is not considered to result in an adverse impact in terms of either design, or neighbouring privacy and amenity. Comments and objections have been received from neighbouring residents in relation to the extension as they consider its construction will result in unacceptable noise and disturbance to neighbouring occupants. However, whilst some additional noise and disturbance can occur when extensions are under construction, in this case the development is of a small scale and construction will be for limited duration. The Council's Environmental Health officers have powers to deal with any statutory noise nuisances arising and any obstruction of the pavement that may occur is a police matter. Where matters are dealt with separate legislative bodies, the LPA will not seek to duplicate these controls. It is also proposed to change glazed doors in the rear elevation of the property to a window. This alteration is acceptable and will not result in an adverse impact in terms of neighbouring amenity.

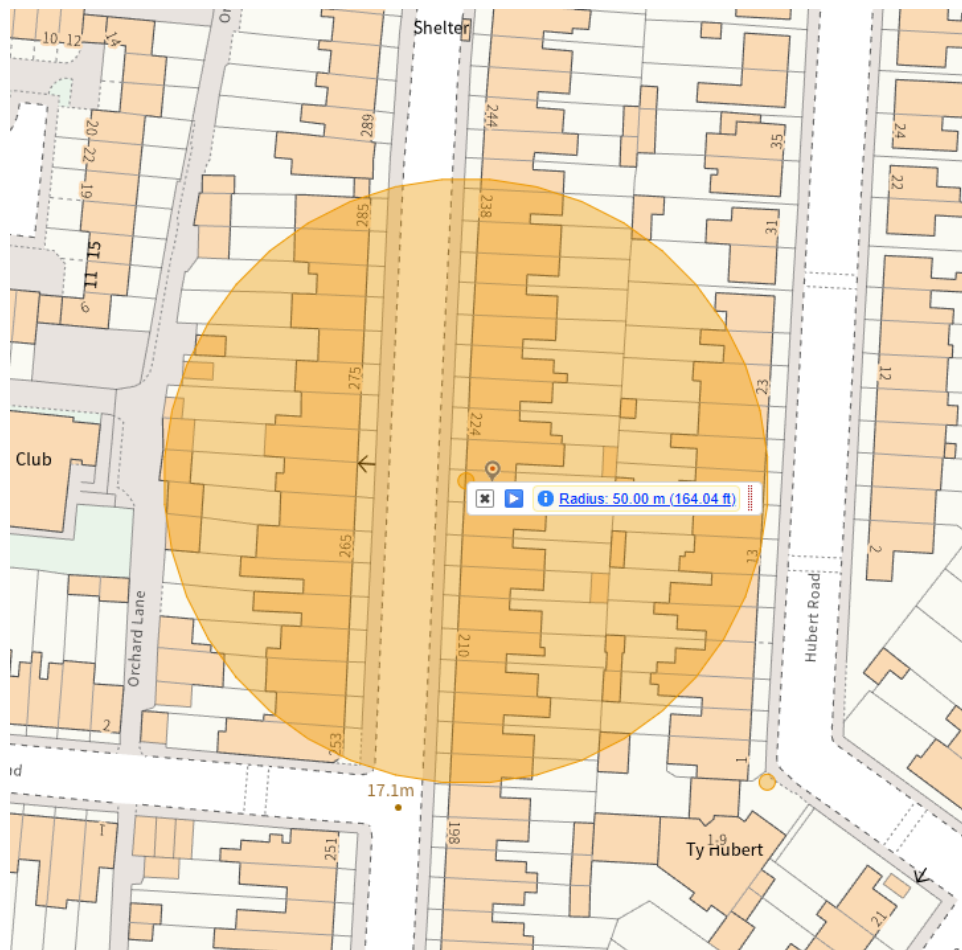
7.3 The property is currently a house and will remain a house. Up to 2 unrelated tenants can reside in a property that is still classed as a C3 dwelling for planning purposes. However, once unrelated tenants exceed this number, the property is referred to as a HMO. In this case, 5 tenants are proposed at 1 person per en suite bedroom. However it is noted that a 3 bedroom dwelling will typically have 3 or 4 occupants, albeit these will normally be related

(or the majority of inhabitants will be related). 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 5 or more unrelated individuals, it is a residence either way and rent may be paid to a landlord in either scenario. 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.

- 7.4 The main planning considerations of this application are the potential impacts of the change of use on parking provision and highway safety, as well as the impact on the character and amenity of the surrounding area and the residential amenities of existing and future occupiers. This can also include matters of social cohesion and fears of crime albeit the weight that can be afforded to these considerations is dependent upon, for example, the fear of crime being objectively justified; the fear of crime having some reasonable basis; and the fear of crime relating to the proposed land use – in planning terms – rather than assumptions not supported by evidence as to the character of future occupiers. (Smith v FSS [2005] EWCA Civ 859). In this case, whilst neighbour objections have been received, these do not cite evidence of anti-social behaviour relating to the property or the area generally and whilst there may be a fear that the change of use may increase such behaviour it is not objectively justified and there appears to be no reasonable basis for it having regard to the proposed land use in this case.
- 7.5 Policy H8 (Self Contained Accommodation and Houses in Multiple Occupation) 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) there is adequate amenity for future occupiers.’

7.6 Concentration of HMOs, Impact on Character and Appearance and Residential Amenity:

The adopted HMO SPG, states that ‘clusters of HMOs can alter the composition of a community and detract from local visual amenity. The guidance introduces a threshold above which HMOs are considered to detract from the character of the area. In general, the Council will not support a planning application that would take the number of HMOs, considered as a proportion of the local housing stock, above a specified limit. In “defined areas” this limit is 15%, in other areas, 10%. This site is located within the 10% threshold area. When taking a 50m radius from the address point of the application site, the full front elevations of 35 properties are captured and there are no existing registered HMOs within the 50m radius. Therefore, if the application were to proceed, the percentage of HMOs would be 2.8% and the 10% threshold would not be exceeded. Furthermore, the area around the 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. Consequently, HMO concentration levels are not grounds to refuse permission in this case. The 50m radius can be seen below. HMOs are represented by green squares with none shown within the 50m radius:



7.7 It cannot be shown that the proposal would create an over concentration of houses in multiple occupation in the area which would change the character of the neighbourhood or create an imbalance in the housing stock and criterion (ii) of policy H8 is met.

7.8 In terms of amenity consideration for any future occupiers of the HMO, the Council's Environmental Health (Housing Licensing) department also acts as a regulatory authority in this regard. Notwithstanding this, the adopted HMO SPG states as follows:

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.

7.9 In this case, these expectations are met with communal living room and kitchen located at ground floor, partly within the new extension, and all bedrooms have adequate outlook and natural light via existing windows. The three first floor bedrooms are as per existing bedrooms in the property with en-suite's added and the additional two bedrooms are located at ground floor with outlooks front and rear respectively and also with en-suite facilities. The Council's Licensing requirements for HMO room sizes requires the following:

- Kitchens serving up to 5 people: 7.2sqm
- Living rooms for up to 5 people: 10m²
- Bedroom serving one person 6.51m²

7.10 In this instance the combined kitchen and living area is just over 20m² and the smallest of the four bedrooms is approximately 10.10m². Officers have visited the property and measured the rooms and can confirm that all would exceed the requirements taking account of some internal re-configuration to provide en-suite bathrooms. As such the licensing requirements are complied with.

HMOs 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 so long as they can accommodate every resident of the properties that they serve.

- 7.11 Access to an enclosed rear garden is provided. The rear garden is small but typical of such terrace properties and of a suitable size for five occupants and could accommodate cycle storage, details of which have been provided. Neighbour gardens are generally well maintained, of similar size and layout and include seating areas and decks for example. Taking bicycles through the house to a store in a private rear garden is not unusual and is required as part of the current use. At present, shared boundary treatments are low and for the sake of maintaining privacy, officers consider a condition requiring 1.8m high means of enclosure is required for the rear garden area.
- 7.12 *Conversion proposals should not detract from the character and appearance of the building. Any conversion involving external alterations should respect the form, scale and materials of the original building and the visual character of the area. This includes the style and proportion of window and door openings.*
- 7.13 Properties within the vicinity are generally in an acceptable condition. As is common with some properties close by refuse bins are generally stored in small front gardens. As a 5 bedroom HMO it will have a 180litre wheelie bin compared to the 120ltr bin of a 3 bedroom house of less than 5 people. The 5 adults in the HMO will share the waste receptacles in the same way as those resident in a family dwelling and like any dwelling can apply for more recycling receptacles if required. In short, whilst the proposed HMO will have a larger wheelie bin to accommodate possible waste requirements, this does not materially impact the storage of waste in amenity terms. The storage of receptacles in front forecourts along the street is commonplace.

7.14 **Highways and Parking**

The site is located on Caerleon Road, which is subject to a 20mph speed limit. The parking demand created as a 3no. bed dwelling is 3no. spaces (calculated using the SPG). There is no parking on site. The proposed 5no. bedroom HMO would require 1no. space per bedroom (5no spaces) plus a visitor space. As such there is a net increase in parking demand of three spaces as a result of the change of use.

- 7.15 Existing parking problems and concerns regarding a worsening of the existing situation and subsequent highway safety matters have been raised as significant concerns within the resident objections and also the Local Councillor responses. The application is accompanied by a parking survey and the Council's Highways officer advises that whilst the parking survey does not follow the Lambeth Methodology, it shows that the area is currently experiencing very high parking stresses and there is no practical capacity for more parking and suggests that the survey only serves to prove there is an existing problem with parking availability closeby. Whilst photos of spaces for each night of the survey are shown, the locations are not identified and they are not date/time stamped.
- 7.16 Of particular note is the fact that the Local Planning Authority has tested decisions on HMOs in relation to lack of parking several times in recent years. All have been dismissed at appeal. The key point for Inspectors is the sustainability of the location not the availability of parking. In this case, the site is located within 200m from a District Centre. The site scores highly in sustainability terms when examined against the Council's Parking SPG. Demand for parking arising from HMO uses, particularly where these form a very low proportion of the housing stock in the 50m catchment area, is not considered to be a robust reason for refusing planning permission.
- 7.17 Parking was observed by officers at the time of recent site visit and whilst it is clearly in high demand due to the absence of off street parking provision serving houses in the area, there were on-street parking spaces within walking distance of the site. It is appreciated that parking demand will vary depending on the day and time and reliance on on-street parking may mean that occupiers are unable to park in front of, or even near to their homes. This

may prove inconvenient but is not a robust reason to refuse planning permission in officer view. Planning Inspectors have also confirmed this is not justification to refuse planning permission..

- 7.18 Appeal decision CAS-01786-S4X0Y7 (November 2022) relating to 23 Arundel Road is one relevant example of such an appeal decision. The proposal was for the change of use of the property from a 3 bedroom dwelling to a five bed HMO with the sole reason for refusal relating to lack of parking. Similarly, the application was supported by a parking survey that showed a high demand for parking in the area with an overall parking stress of 96% which equates to 6 free spaces out of the 167 potentially available and the high demand meaning that people have to park further away from their homes. However, the Inspector noted that this is not unusual in a dense urban location of terraced streets, where car ownership has increased over time to render on-street parking a matter of some inconvenience owing to competition and that such inconvenience may encourage some motorists to use public transport, cycle or to walk, as advocated by Planning Policy Wales. The Inspector gave considerable weight to the sustainability of the development in this appeal case, noting that this type of accommodation is likely to be attractive to those without a car and the rigid application of parking standards is not appropriate in the circumstances of this case. The Inspector did not consider that the proposal would give rise to significant concerns regarding highway or pedestrian safety. The issues raised primarily relate to matters of convenience, which are not sufficient to warrant refusal of the proposal. This recent decision, for a similar proposal relating to a property located in a sustainable location is a material consideration and should be afforded significant weight in the decision making process as whilst each case will be considered on its merits, the application site is also urban, sustainable and with heavy reliance upon on street parking (i.e. like the appeal case), and the development itself is also for a change of use from dwelling to 5 bedroom HMO. There has been no change in policy or supplementary planning guidance in the intervening period. The assessment of the Inspector, having regard to very high demand for on road parking locally, was that the proposed use as a HMO and likely car ownership factors, and its sustainable location outweighed the on street parking stresses. This appeal decision is compatible with other appeal decisions in Newport where parking has been a key consideration/objection on HMO cases.
- 7.19 Inspectors at planning appeal will often assume that car ownership in HMO properties will be lower and most notably in sustainable locations, such as this. The Local Planning Authority may not agree with this stance, particularly where no evidence of it is given but being aware of recent appeal decisions, the generally positive attitude of the Welsh Inspectorate to HMOs in sustainable locations irrespective of whether they have off street parking and the policy move of maximum parking standards rather than minimum standards espoused in the SPG, it is considered that there is no demonstrable adverse effect in relation to parking demand that could robustly be argued to impact upon highway safety or upon neighbouring amenity in this case. With this in mind and previous considerations relating to character, criterion (i) of policy H8 is met.
- 7.20 As noted above, the application includes details of cycle storage within the rear garden serving the property and a condition to require this would be reasonable if planning permission were forthcoming. The Council's Highways officer has previously objected to this arrangement as it can only be accessed via the property. However, this arrangement is common with terrace properties such as this. The rear yard is secure and is considered acceptable. Given the characteristics of some sites, it is not possible to strictly accord with the SPG requirements. In this case, it is considered that a secure store at the rear of the property would offer safe and suitable storage for cycles to the benefit of the future occupiers of the property and any cycle storage required by its use as a family dwelling would also be reliant upon cycles being wheeled through to the rear garden.
- 7.21 **Waste**
- As noted above, the property has a small enclosed forecourt where waste receptacles can be stored. This is the way in which waste would be stored as a dwelling and the use as a HMO would not stand out in this respect. As a 5 bedroom HMO it will have one black wheelie bin the same as a dwelling but will be eligible for a larger wheelie bin due to occupancy level (180ltr compared to 120ltr). This may also be the case for some single

family dwellings.

7.22 **Biodiversity:**

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 SP9 of the LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Enhancement is proposed in the form of a bird box in the rear garden of the property. This is considered to be proportionate and is acceptable.

7.23 **Other Matters**

7.24 A number of issues that have been raised within the objections received by local residents over and above matters considered above, relating to the perception of HMOs and the occupants, adequacy of drainage infrastructure and concerns that the proposal would devalue house prices within the vicinity. The personal details of occupants of a HMO are private interest matters and not ordinarily material considerations for planning. Similarly, property value is not a material planning consideration.

7.25 Whilst anti-social behaviour, crime and the fear of crime are material considerations, the weight that can be afforded to these considerations is dependent upon the fear of crime being objectively justified; the fear of crime having some reasonable basis; and the fear of crime relating to the proposed land use, in planning terms rather than assumptions not supported by evidence as to the character of future occupiers. This is well established by case law. In this instance, there would not be an exceedance above the HMO threshold established within the HMO SPG and there is no current evidence to support a refusal on actual or fear of anti-social behaviour or crime.

7.26 Gwent Police have been consulted and have requested conditions relating to matters covered by Environmental Health legislation. As such the LPA will not seek to duplicate these controls and the conditions are not warranted.

8. **OTHER CONSIDERATIONS**

8.1 ***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.

8.2 ***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.

8.3 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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

- 8.4 The above duties have 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. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.
- 8.5 ***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.
- 8.6 ***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.

9. CONCLUSION

- 9.1 The change of use would not result in an exceedance of the threshold set out in the Council's Supplementary Planning Guidance, in fact there are no other HMOs within a 50m radius. The proposals would not result in a demonstrable adverse impact upon the character of the area or upon matters relating to social cohesion.
- 9.2 Whilst the proposals would result in an increased demand for parking when assessed against the Council's adopted Parking SPG, the site is located within a sustainable location with walkable access to shops and services with good transport links and having regard to this and relevant appeal decisions, it is considered that the proposals would not result in an adverse impact to highway safety or neighbouring amenity and this would not be a robust reason to refuse permission.
- 9.3 The proposed extension and other external alterations would not result in an adverse impact in terms of design or neighbouring amenity.
- 9.4 It is recommended that the application is granted subject to the following conditions.

10. RECOMMENDATION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: 4479.PL.02 Revision A, 4479.PL.04 Revision A, GIS.

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based

Pre-occupation

02 Prior to the first occupation of the property as a house in multiple occupation as hereby approved, cycle storage provision shall be provided in accordance with the approved details and thereafter be retained for lifetime of development.

Reason: To ensure there is adequate cycle provision at the property in the interests of sustainability in accordance with Policies SP1 and GP4 of NLDP.

03 Prior to the first occupation of the property as a house in multiple occupation as hereby approved, biodiversity enhancement shall be provided in accordance with the approved details and thereafter be retained for lifetime of development.

Reason: To ensure there is adequate cycle provision at the property in the interests of sustainability in accordance with Policies SP1 and GP5 of NLDP.

04 Prior to the first occupation of the property as a house in multiple occupation, the rear extension hereby approved shall be undertaken and shall be available for use in accordance with the approved details. It shall thereafter be retained for use by the occupiers for the lifetime of development.

Reason: To ensure there is adequate internal space at the property in accordance with Policy GP2 of NLDP.

05 Prior to the first occupation of the property as a house in multiple occupation as hereby approved, a 1.8m high (from ground level) means of enclosure shall be installed along the entire southern boundary of the site, full details of which shall first be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be undertaken in accordance with the approved details and shall thereafter be retained for lifetime of development.

Reason: To ensure there is adequate internal space at the property in accordance with Policy GP2 of NLDP.

General conditions

06 The property shall have a maximum of 5no bedrooms and 5no occupants.

Reason: To protect the amenity of adjoining occupiers, in the interests of highway safety in accordance with Policies GP2 and GP4 of the NLDP.

07 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.

NOTE TO APPLICANT

01 This decision relates to plan Nos: 4479.PL.01, 4479.PL.02 Revision A, 4479.PL.03 Revision A, Parking Survey, Planning Statement, Sustainability Assessment.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, GP2, GP4, GP5, GP6, GP7, H8, T4 and W3 were relevant to the determination of this application.

03 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

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.

05 The applicant may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.