

## **APPLICATION DETAILS**

**No:** 26/0137      **Ward:** Pillgwenlly

**Type:** Full

**Expiry Date:** 16th April 2026

**Applicant:** R Elmes

**Site:** 3 Baldwin Street Newport NP20 2LT

**Proposal:** ***RETROSPECTIVE CHANGE OF USE FROM A SINGLE DWELLING (USE CLASS C3) TO A 5-BEDROOM HOUSE IN MULTIPLE OCCUPATION (HMO), ACCOMMODATING UP TO 7 OCCUPANTS.***

**Recommendation:** GRANTED WITH CONDITIONS

### **1. INTRODUCTION**

#### **1.1 Background**

- 1.1.1 The application is presented to Members of the Planning Committee at the request Councillor Jenkins and Councillor Adan citing reasons of location within a flood zone, levels of crime and antisocial behaviour, adverse impact upon character of the area through increased number of HMO's, fly-tipping as high occupancy accommodation would likely increase waste management issues, increase demand for on street parking and an over concentration of HMO's in the area.
- 1.1.2 Assessment of the planning history shows the most recent consent 16/1191 permitted the change of use of the application site and 24 Courtybella Terrace into 2no. two bedroom houses and 1no. three bedroom house. Since that time, 1 Baldwin Street and 3 Baldwin Street have merged and is now referred to as 3 Baldwin Street.
- 1.1.3 It is unclear whether any of the previous consents have been lawfully implemented, however assessment of the planning history indicates that residential accommodation has been present within the areas subject of this planning application in excess of 10 years prior to the submission of this application.

#### **1.2 Site Location and Context**

- 1.2.1 The site is located within Pillgwenlly facing Baldwin Street forming part of a row of two storey terraced properties benefitting from period features to the front elevation. Unrestricted on street parking is located outside of the property and neighbouring streets. A pedestrian door leads from the street to the rear yard area and benefits from a storage space also. The site is located within an urban boundary adjacent existing residential properties within Flood Zone 3 (Sea).

#### **1.3 Description of Development**

- 1.3.1 The proposal seeks retrospective planning permission for the use of the building as a 5no. bedroom seven person House of Multiple Occupation. The ground floor layout includes living, dining and kitchen areas, storage, bicycle storage, utility two courtyards and bin store. To the first floor, features five bedrooms, two with ensembles and two further bathrooms.
- 1.3.2 The HMO Licencing team have issued a HMO licence on the 25<sup>th</sup> February 2025.

### **2. RELEVANT SITE HISTORY**

| Application Number | Proposal                                                                                                            | Decision                              |
|--------------------|---------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 16/1191            | CONVERSION OF SHOP AND 7 BEDROOM HOUSE INTO 2NO. 2 BEDROOM HOUSES AND 1NO. 3 BEDROOM HOUSE AND EXTERNAL ALTERATIONS | Granted with conditions<br>21.07.2017 |
| 01/0649            | CONVERSION OF PROPERTY TO SINGLE DWELLING AND EXTERNAL ALTERATIONS                                                  | Granted with conditions<br>17.07.2001 |

### 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 8 - Flooding

Policy 9 - Resilient Ecological Networks and Green Infrastructure

#### 3.2 PLANNING POLICY WALES (EDITION 12) 2024

#### 3.3 Technical Advice Note 15: Development, flooding and coastal erosion

#### 3.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 – Sustainability

GP2 – General Amenity

GP4 – Highways and Accessibility

GP6 – Quality of Design

H8 - Self Contained Accommodation and Houses in Multiple Occupation

T4 – Parking

W3 – Provision for Waste Management Facilities in Development

#### 3.5 SUPPLEMENTARY PLANNING GUIDANCE

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

### 4. CONSULTATIONS

#### 4.1 Gwent Police: From examining the crime/incident data, I am satisfied that the proposed development location is not currently being affected by any significant ongoing crime trends or patterns.

I note that this development is proposed to be used as an HMO. At present there is currently 2(two) HMO properties within a 50-meter radius of the proposed development.

I can confirm that the current call volume and demand from the HMOs properties within the site area is not having a detrimental effect on Policing or the community within the location

#### 4.2 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.

### **Advisory Notes**

*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](http://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.*

- 4.3 Natural Resources Wales: We have no objection to the proposed development as submitted and provide the following advice.

### **Flood Risk**

The planning application proposes highly vulnerable development (residential premises). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 (Sea).

Given the nature of the proposed development, we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website Natural Resources Wales / Preparing for a flood which may be useful for the developer or occupant of the proposal.

## **5. INTERNAL COUNCIL ADVICE**

- 5.1 Environmental Health Officer: No response.
- 5.2 HMO Licencing Officer: I confirm I have no objection regarding the proposed change of use to a 5 bedrooms and 7 persons house in multiple occupation (HMO) at 3 Baldwin Street, Newport, NP20 2LT.
- 5.3 Waste Manager: No response.
- 5.4 Highways Officer: Not policy compliant.

### **Highway Comments:**

The parking assessment relies on the previous consent and on a sustainability assessment.

Previously, it has been accepted that the area is sustainable in transport terms and on that basis the extant consent (16/1191) was based on a requirement for only three parking spaces (1/household).

As a HMO the SPG requirement is one space per bedroom. As these are separate households, there is no effective reduction for sustainability. The parking requirement is 1 /household plus one for visitors, which equates to six spaces and an increase of three spaces.

No evidence of parking capacity has been provided.

The previous permission also identified the "alleyway" as bin storage. It is now proposed to be cycle storage. It cannot be accepted as either as it is not a practical space and would be obstructed. Should the Officer be minded to approve the application, we would request a condition to provide suitable bin and cycle storage (separately).

The bin storage proposed is remote and we would raise concerns regarding refuse management. With HMOs bins are typically just left permanently on street raising obstruction and amenity issues. A condition to address this is likely to be appropriate.

### **Suggested Conditions:**

a scheme for the provision of cycle parking in accordance with the Council's current standards shall be submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved within three months of the date of approval hereby granted 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.

A servicing and waste management strategy shall be submitted to, and approved in writing by, the Council as Local Planning Authority and the scheme implemented within six months of the date of approval. For the avoidance of doubt the strategy shall set out design and operational proposals for servicing and the storage, transfer and collection of goods and waste ensuring that appropriate arrangements are made and that logistical requirements are appropriately considered and addressed. The strategy shall be subsequently implemented in accordance with the approved details.

Reason: To ensure that adequate on-site provision is made for servicing and waste management collection including allowance for the storage, transfer and collection of waste to reduce impact on residential amenity and the general amenity of surrounding occupiers.

## **6. REPRESENTATIONS**

### **6.1 NEIGHBOURS:**

All properties with a common boundary with the application site were consulted (11no. properties), and a site notice displayed.

#### **6.1.2 10no. objections received (summarised):**

- High concentration of HMOs in the area – including unlicensed HMO's exceeding thresholds
- Parking pressures and congestion on streets
- Higher occupancy worsen crime and antisocial behaviour
- Fly-tipping, waste and pest infestations may be exacerbated
- Presence of vulnerable residents, including the elderly and children
- Presence of HMO's adversely impact community character and erosion of family homes
- Decline in property value
- Safety concerns relating to lack of building regulations approval
- Concern regarding proximity to schools and parks and potential occupants

### **6.2 COUNCILLORS:**

#### **6.2.1 Councillor Adan: On behalf of residents of Pillgwenlly, I'd like to submit an objection to retrospective planning application: 26/0137 (3 Baldwin Street, NP20 2LT).**

### **Grounds of objection**

The site lies within Flood Zone 3 as identified in the TAN 15. The proposal introduces a highly vulnerable use residential accommodation at a higher intensity through the creation of an HMO. This would increase the number of occupants exposed to potential flood risk which is contrary to the precautionary approach set out in national planning policy. Given the flood risk designation and the increased density of occupation associated with an HMO, it has not been sufficiently demonstrated that the development would be appropriate or sustainable in this location.

The proposal represents an intensification of use that could have adverse impacts on residential amenity, parking demand and the character of the surrounding area. Whilst the site may previously have been considered sustainable in transport terms under application 16/1191, that consent related to a standard residential arrangement with a requirement for three parking spaces (one per household). The current proposal for an HMO materially changes the nature and intensity of occupation. In accordance with the council's HMO SPG, parking provision should normally be one space per bedroom plus visitor provision which in this case would equate to approximately six spaces.

The proposal shows three spaces, provides no parking survey or evidence demonstrating that sufficient on-street capacity exists to accommodate the additional demand. Given the nature of HMOs, where occupants are separate households and may own individual cars and receive visitors, reliance on sustainable travel assumptions is not realistic without supporting evidence. This raises legitimate concerns regarding overspill parking, highway safety and additional pressure on already limited street parking.

There are practical concerns and uncertainty regarding refuse and cycle storage. The plans indicate bin storage in a remote location and the previously identified alleyway is now proposed as cycle storage. This space appears constrained and impractical for either use, raising concerns that refuse bins could be left permanently on the street, creating obstruction, visual amenity issues and potential highway safety risks. In the absence of a parking capacity survey, with insufficient on-site parking provision and unclear refuse and cycle storage arrangements, it has not been demonstrated that the proposal would operate safely and without detriment to the character, amenity and highway conditions of the surrounding area.

There are also concerns regarding the cumulative impact of HMOs on the character and balance of the local community. The conversion of a family dwelling into a HMO contributes to the gradual loss of family homes and introduces a more intensive form of occupation.

Lastly, should you be minded to approve this application, please refer this case to the Planning Committee for full review and determination.

6.2.2 Councillor Jenkins: I strongly object to the retrospective planning application for 3 Baldwin Street. Approval of this application would have a detrimental impact on Baldwin Street and the wider Pill area for the following reasons:

1. Existing Crime and Anti-Social Behaviour The immediate area already experiences high levels of crime and anti-social behaviour. There are currently two properties on the street subject to closure orders. Introducing or formalising another HMO in this location is likely to exacerbate these ongoing issues and place further strain on residents and local services.

2. Impact on a Predominantly Family Street Baldwin Street is predominantly made up of family homes. Increasing the number of HMOs in such a concentrated residential area undermines the character and stability of the community.

3. Fly-Tipping Hotspot The street is already a known fly-tipping hotspot. Additional high-occupancy accommodation would likely increase waste management issues, further harming the appearance and environmental quality of the area.

4. Severe Parking Problems There are significant existing parking pressures on Baldwin Street. Increased occupancy levels associated with an HMO would worsen congestion and parking difficulties for existing residents.

5. Over-Concentration of HMOs in Pill Pill already has an over-concentration of approximately 53 HMOs. Approving further HMO accommodation would intensify this imbalance and negatively affect community cohesion. For these reasons, I respectfully request that this retrospective application be refused in order to protect the character, safety, and amenity of Baldwin Street and the wider Pill community.

If your wish is to Approve this application I would like it to the Planning Committee.

## **7. ASSESSMENT**

### **7.1 Principle of Development:**

7.1.1 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.

### **7.2 Flooding**

7.2.1 The application site is located within an undefended Flood Zone 3 (Sea) area. The proposed use is a form of *highly vulnerable development* as it would provide residential accommodation.

7.2.2 Technical Advice Note 15 (2025) is clear at para. 10.22 that planning applications in Zone 3 require the strongest justification and at para. 10.23 states that:

*'Other proposals will only be appropriate if they are essential to the Development Plan Strategy to regenerate an existing settlement or achieve key economic or environmental objectives. Any redevelopment proposal must be consistent with the acceptability considerations in section 11. In addition, proposals which include residential development must ensure that such uses do not occur at ground floor level. Proposals that address national security or energy security needs, mitigate the impacts of climate change, that are necessary to protect and promote public health may also, by exception, be appropriate provided that their locational need is clear and the potential consequences from flooding have been considered and found to be acceptable.'*

7.2.3 The scheme would be considered as development on previously developed land given the presence of the existing building and surrounding infrastructure therefore meeting the definition as set out in Planning Policy Wales (Ed.12).

- 7.2.4 While it is unclear if the previous consents were implemented, a desktop assessment of street view imagery and planning history demonstrates that the building has been in residential use for a period more than 10 years. Therefore, the proposed use as a HMO would not alter the vulnerability of development.
- 7.2.5 The proposed use of the building as a HMO would contribute toward the varied housing stock offering within the area. The adopted local development plan has general support for development within a settlement boundary and the reuse/conversion of buildings within such areas. Therefore, the scheme accords with the Plan strategy. Furthermore, no bedroom accommodation is provided at ground floor level as such, suitable refuge space would continue to be available at the upper floors during a flood event. It is noted that the ground level containing the kitchen and communal living space may be impacted during a flood event. The Flood Consequences Assessment relates to the neighbouring site of 24 Courtybella Terrace and as such limited weight is afforded to its conclusions. However, the Local Planning Authority remain satisfied that the scheme is justified in Flood Zone 3 despite the absence of a site specific Flood Consequences Assessment due to the mitigation to restrict ground floor sleeping accommodation is considered to suitably address the impacts of flooding.
- 7.2.6 The proposed development does not include any additional extensions affecting surface water flows or increase flooding elsewhere. Section 4 of the submitted FCA sets out generic flood mitigation measures which are applicable to the development under consideration. As such, a condition shall be attached to the decision ensuring that the use is carried out in accordance with those measures to address the impacts of flooding.
- 7.3 **Drainage**
- 7.3.1 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.
- 7.3.2 No concerns have been raised regarding foul drainage flows given the existing connection to a mains sewer. The proposal is considered acceptable in terms of being served by suitable means of foul drainage.
- 7.4 **Crime**
- 7.4.1 The consultation response from Gwent Police has provided confirmation that the crime statistics for the application site is not experiencing any significant ongoing crime trends or patterns. Furthermore, Gwent Police have commented that the presence of 2no. HMOs within 50m of the application site that the call volume and demand from HMO properties in this site area is not having a detrimental effect on Policing or the community in this location. As such, the evidence available suitably addresses Councillors concerns with regard to crime and antisocial behaviour.
- 7.5 **Houses of Multiple Occupation and General Amenity**
- 7.5.1 The application site is located within a 15% 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.
- 7.5.2 *Figure 1* below shows the 50m radius from the application site which encompasses 34no. properties. Assessment of the planning history shows no other HMO's have been permitted within the 50m radius and 2no. licenced HMO's (the application site and 1 Jeddo Street). This equates to 5.9% of properties within the 50m radius being a HMO, which falls below the accepted 15% threshold.
- 7.5.3 Due to the evidence above, it is considered that the density of HMO's in this area is not of a sufficient level to result in any adverse impact upon social cohesion and therefore acceptable.

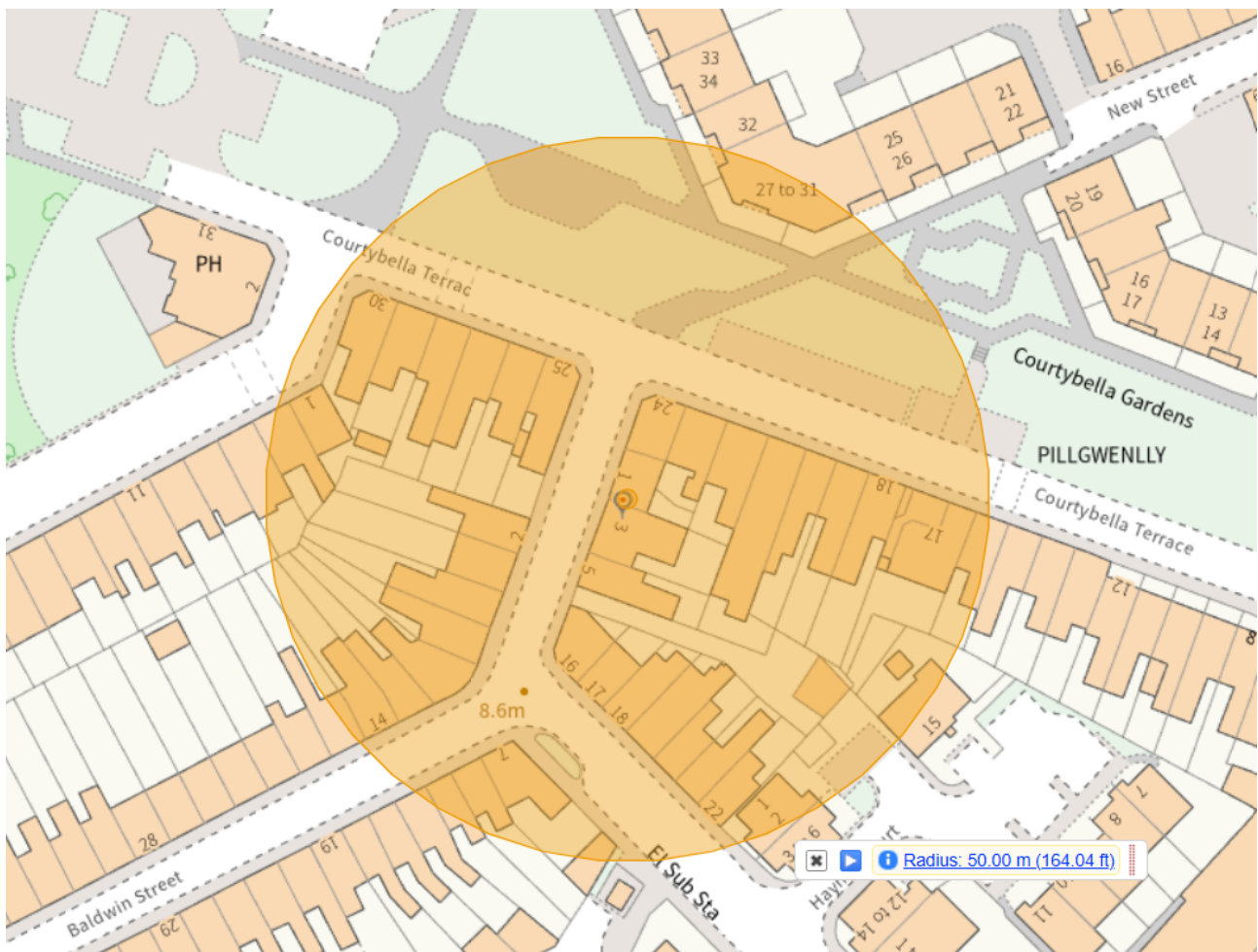


Figure 1: 50m radius from application site.

- 7.5.4 The Houses in Multiple Occupation SPG document outlines that each one person bedroom unit has a minimum room size of 6.5sqm, communal kitchens 7sqm, and communal lounges 10sqm.
- 7.5.5 The room sizes (sqm) are detailed below:
- Living room: 14.8sqm
  - Kitchen/diner: 27.3sqm
  - Utility: 7.94sqm
  - Bedroom One: 14.34sqm
  - Bedroom Two: 9sqm
  - Bedroom Three: 8.4sqm
  - Bedroom Four: 9.2sqm
  - Bedroom Five: 19.2sqm
- 7.5.6 All bedrooms, lounge and kitchen exceeds the minimum size standards. Furthermore, the HMO Licencing team have already issued an HMO licence in February 2025. It is noted that two of the bedrooms are proposed to serve couples. Bedroom one and five (the largest rooms) exceed the minimum HMO licencing standards for two-person accommodation.
- 7.5.7 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).

- 7.5.8 The proposal does not include any additional built form 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.
- 7.5.9 The proposal retains the rear amenity space to serve the needs of future occupants. Specific details of the waste and cycle storage structures are not included within the application. A waste and bicycle storage scheme is therefore secured by way of condition.
- 7.5.10 All rooms are served by a single or double window as per the existing layout; as such, it is considered that each bedroom would receive adequate levels of daylight, outlook and ventilation.

## **7.6 Impact on Highways and Parking**

- 7.6.1 The Highways Officer comments outline that the proposal is not strictly policy compliant with the adopted parking standards. The application site is located within Parking Zone 3, therefore the adopted parking standards state that 1 space per bedsit and 1 space per 5 units is required; the HMO use therefore has a parking demand of 6no. parking spaces.
- 7.6.2 The Highways Officer has noted the previous consent of 16/1191 which permitted the conversion of the application site to form 2no. two bedroom houses, and 1no. three bedroom house which accepted the site cannot provide any off street parking given the site constraints. Also, during that application photographs were submitted showing available capacity for on street parking.
- 7.6.3 The application site is located approximately 200metres from District Centre of Commercial Road. The site location therefore benefits from a range of amenities in close proximity and is sustainably located. Members will note the recent appeal decision at 33 Walmer Road where an Inspector found it acceptable to have access to cycle parking through the dwelling on a terraced property finding no substantive reason why it would harm living conditions or deter occupants from using bicycles. The indicative location of bicycle storage is located within the enclosed pedestrian access. It is considered that a more suitable location for secure bicycle storage would be within the courtyard areas to ensure unfettered access from the highway through the rear courtyard. As such, details are secured by way of condition.
- 7.6.4 Turning to parking, there are no parking restrictions in the area and it was observed that there was capacity on street during the Officers site visit. 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.

## **7.7 Biodiversity**

- 7.7.1 In respect of ecology and biodiversity the site as existing comprises a residential dwelling and garden area, all floors of the property are currently available for occupation and no conversion of the loft space is required. Additionally, the garden areas are part hard surfaced within an urban environment therefore, the site offers little ecological value and the potential habitat for bats or other European Protected Species is limited.
- 7.7.2 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.
- 7.7.3 The application does not include a Green Infrastructure Statement; however given the scale of development and existing urban character of the area, it is considered that biodiversity

enhancement options are limited. It is considered that a proportionate biodiversity enhancement can be secured by way of condition to achieve the aims of PPW (Ed12) regarding biodiversity net gain in accordance with Policy GP5.

## **7.8 Other Matters**

7.8.1 The objections received from Councillors and members of the public are considered to have been suitably addressed via the assessment above in regard to HMO density, crime, general amenity, parking, waste and impact upon the character and appearance of the area. In regard to other matters which are not material planning considerations, further commentary is provided.

7.8.2 The concerns raised regarding property value are not material planning considerations and are therefore not considered further.

## **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 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. However, with regard to inequalities of outcome, the following negative impacts have been identified: [INSERT LIST]. The following mitigating actions will be taken to minimise these impacts: [INSERT MITIGATION]

### **8.6 *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.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development materially affects the use of the Welsh language in Newport in the following ways: [INSERT LIST]

## **8.7 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 proposed accords with the relevant policies contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and is recommended to be granted with conditions.

## **10. RECOMMENDATION**

### **GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents:

- Proposed Floor Plans (Drawing ref: BS 02)
- Site Location Plan (Received: 20.02.2026)
- Flood Consequences Assessment (Received: 20.02.2026)
- Existing Floor Plans (Drawing ref: BS 01)

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

02 Within 6 months from the date of the decision notice the mitigation and management measures as set out within Section 4 of the approved Flood Consequences Assessment (FCA) shall be installed, operated and maintained in accordance with those measures for the lifetime of the development.

Reason: To ensure that the development is safe for its intended use, does not increase flood risk elsewhere, and accords with the requirements of Technical Advice Note 15: Development and Flood Risk (TAN 15).

03 Within 3 months of the date of the decision notice, a scheme of waste, recycling and bicycle storage shall be submitted to the Local Planning Authority for approval. The scheme as approved shall be implemented within 1 month of the date of the condition being discharged and maintained as such for the lifetime of development.

Reason: To make adequate provision for waste, recycling and cycle storage in accordance with Policies GP4 and W3 of the Newport City Council Local Development Plan.

04 The building shall not be occupied by more than 7 persons with two person occupancy limited to rooms 11 and 18 only as shown on the approved drawing Proposed Floor Plans (Drawing ref: BS 02). The remaining bedrooms shall not be occupied by more than 1no. resident at any time.

Reason: To ensure there is adequate space available for each occupier in accordance with the space standards as set by the Housing in Multiple Occupation SPG as adopted by Newport City Council and in accordance with Policy H2 of the Newport City Council Local Development Plan.

05 Within 3 months from the date of the decision notice a scheme of biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented within 3 months of discharge of details and retained for the duration of the use.

Reason - In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9 and to accord with Policy GP5 of the Newport City Council Local Development Plan.

06 No bedrooms shall be located on the ground floor at any time.

REASON: In the interests of flood risk in accordance with Technical Advice Note 15 and Policies SP3 and GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

#### *NOTE TO APPLICANT*

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies were relevant to the determination of this application.

02 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.

03 The property is located within an area identified as being at risk of flooding. Occupiers are advised that, in accordance with Technical Advice Note 15: Development and Flood Risk (TAN 15), there remains a possibility of flooding from natural sources, including extreme weather events.

Prospective and future occupiers should make themselves aware of this risk and are encouraged to take appropriate precautions, including:

- Signing up to Natural Resources Wales flood warning services;
- Preparing a household flood plan;
- Taking reasonable measures to minimise potential damage and ensure personal safety during flood events.

This informative is provided for awareness only and does not imply that the Local Planning Authority considers flood risk to have been fully mitigated.

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.