

Delegated Decision Report

Application No:	25/0973	Statutory Period Expires:	25th February 2026
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Site:	<i>Hawthorn House Whitebrook Lane Llanvaches Newport NP26 3BA</i>		
Proposal:	<i>CONVERSION AND EXTENSION OF EXISTING DOMESTIC GARAGE INTO LIVING ACCOMMODATION FOR USE BY FAMILY MEMBER</i>		
Applicant:	<i>R Saltmarsh</i>		
Type:	Full	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a detached dwelling located in an isolated position on a rural lane. The property occupies a large curtilage with the garage located approximately 12m to the north of the property with vehicle hardstanding between the two.

2.2 The site is within the Countryside (SP5) and the Wentwood Special Landscape Area (SP8) as identified within the Newport Local Development Plan 2011 - 2026.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is sought to convert the existing domestic garage into ancillary living accommodation including a small extension. The garage lies within the residential curtilage and is currently used for storage in association with the dwelling and is therefore incidental to the dwelling. External works would consist of the insertion of bi-fold doors to the southern elevation and an extension to the east elevation to provide a bathroom. The extension would measure 2.3m in width, 3.6m in length and 2.5m high with a flat roof. The extension would have a window in the south elevation. The internal layout would consist of an open plan living space with a separate bathroom at ground floor and a bedroom in the roof space. It is stated that the annex would be occupied by a family member.

3.2 The application is accompanied by a Green Infrastructure Statement which provides details of a biodiversity enhancement scheme. 1no bat box is proposed on the eastern gable elevation and 1no bird box is proposed on western gable elevation. Mixed native hedge planting is also proposed along the eastern boundary.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0469	LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED CONVERSION OF DOMESTIC GARAGE INTO ANCILLARY LIVING ACCOMMODATION INCLUDING THE ERECTION OF A SMALL EXTENSION TO FORM A BATHROOM.	REFUSED	01.12.2025
01/0568	ALTERATIONS TO REAR ELEVATION, ERECTION OF SINGLE STOREY SIDE EXTENSION, CONSERVATORY AND DETACHED STABLES/GARAGE BUILDING	GRANTED WITH CONDITIONS	07.09.2001

5. PLANNING POLICY

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

Future Wales sets out the Welsh Government's land use priorities and provides a national

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

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy SP1 – Sustainability states that proposals will be required to make a positive contribution to sustainable development by concentrating development in sustainable locations on brownfield land within the settlement boundary. They will be assessed as to their potential contribution to: i) the efficient use of land; ii) the reuse of previously developed land and empty properties in preference to greenfield sites; iii) providing integrated transportation systems, as well as encouraging the co-location of housing and other uses, including employment, which together will minimise the overall need to travel, reduce car usage newport local development plan 2011 – 2026 january 2015 17 and encourage a modal shift to more sustainable modes of transport; iv) reducing energy consumption, increasing energy efficiency and the use of low and zero carbon energy sources; v) the minimisation, re-use and recycling of waste; vi) minimising the risk of and from flood risk, sea level rise and the impact of climate change; vii) improving facilities, services and overall social and environmental equality of existing and future communities; viii) encouraging economic diversification and in particular improving the vitality and viability of the city centre and district centres; ix) conserving, enhancing and linking green infrastructure, protecting and enhancing the built and natural environment; x) conserving and ensuring the efficient use of resources such as water and minerals.

Policy SP5 – Countryside states that development in the countryside (that is, that area of land lying beyond the settlement boundaries shown on the proposal and inset maps) will only be permitted where the use is appropriate in the countryside, respects the landscape character and biodiversity of the immediate and surrounding area and is appropriate in scale and design. housing development, rural diversification and rural enterprise uses, beyond settlement boundaries, will only be appropriate where they comply with national planning policy.

Policy SP8 – Special Landscape Areas states that proposals will be required to contribute positively to the area through high quality design, materials and management schemes that demonstrate a clear appreciation of the area's special features.

Policy SP9 – Conservation of the Natural, Built and Historic Environment states that the Conservation of the Natural, Historic and Built Environment the conservation, enhancement and management of recognised sites within the natural, historic and built environment will be sought in all proposals.

Policy GP2 – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP4 – Highways and Accessibility states that Development proposals should: i) provide appropriate access for pedestrians, cyclists and public transport in accordance with national guidance; ii) be accessible by a choice of means of transport; iii) be designed to avoid or reduce transport severance, noise and air pollution; iv) make adequate provision for car parking and cycle storage; v) provide suitable and safe access arrangements; vi) design and build new roads within private development in accordance with the highway authority's design guide and relevant national guidance; vii) ensure that development would not be detrimental to highway or pedestrian safety or result in traffic generation exceeding

the capacity of the highway network.

Policy GP5 – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

Policy H7 – Annexes to Residential Dwellings states that proposals for the provision of self-contained annexe accommodation will be permitted provided that: i) the proposed annexe is of limited size and provides only essential accommodation that is commensurate with the needs of the user and supplementary to the facilities and accommodation available in the associated dwellinghouse. ii) the annexe is sited as close as possible to the associated dwellinghouse. iii) it has been demonstrated that there is a functional link with the associated dwellinghouse in respect of the relationship with the occupiers of the associated dwellinghouse and the services/facilities available for the user of the annexe. iv) the annexe is located within the existing curtilage of the associated dwellinghouse and no separate curtilage, vehicular access or segregated parking area shall be created.

5.4 SUPPLEMENTARY PLANNING GUIDANCE HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS (ADOPTED JANUARY 2020)

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER

No objection, subject to conditions

The location is not considered sustainable and Whitebrook lane is narrow and unsuitable for two-way traffic, therefore a second home or other use such as a let would not be supported.

On that basis there is no objection subject to a condition that the dwelling can only be used or sold as an ancillary part of the main residence.

6.2 LANDSCAPE OFFICER

Final response

Submitted 'Site Plan rev C' now shows proposed planting of a mixed native hedge along the east boundary with detail in the 'Hedge Planting Specification'.

This will help define residential amenity from agricultural land use given footpath views and the Special Landscape Area policy.

6.3 ECOLOGY OFFICER

No response received to date.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 20.11.2025, Site Notice was put up on 28.11.2025.

7.1 NEIGHBOURS: 2no neighbours were consulted. 1no objection received to date.

Little Whitebrook, Whitebrook Lane

1. *Application form features an inaccuracy* – it states that the site cannot be seen from a public road however the site can be seen from a public road (Whitebrook Lane) and a public footpath to the northeast of the garage.

2. *Loss of ancillary status and use of development concerns* – the proposal would, in practical terms, create a new and independent dwelling within a rural setting in a SLA. The existing garage is explicitly an ancillary outbuilding, and its conversion to a self-contained living accommodation with bedroom, bathroom, space for a kitchen and separate entrance would remove that ancillary status entirely.

The proposal states that the new development would be used by the owners daughter, who currently does not reside at Hawthorn House. This will also bring additional vehicle

movements on narrow rural roads.

We would also like it to be considered that this development could be used for sub-let purposes as an independent unit (Airbnb for example), if not by the current owners, then by future owners.

3. *Subdivision of the plot concerns* – As the proposal effectively is to create a new dwelling as a stand-alone unit, we have concerns that this could lead to future subdivision of the plot and the new dwelling could be formalised as an entirely separate entity. As we are neighbours who can see both Hawthorn House and the current garage from our property, this is a concern.

7.2 LLANVACHES COMMUNITY COUNCIL: No response received to date.

8. **ASSESSMENT**

- 8.1 The existing garage lies within the residential curtilage and is currently used for storage in association with the dwelling and is therefore incidental to the dwelling. The applicant states the garage was erected in excess of four years ago and is therefore lawful. There is very limited supporting information and the applicant relies primarily on historical street view and aerial photographs in support of the application.

- 8.2 As can be seen from the planning history above, planning permission was granted for a detached stable/garage building at the property in 2001. That permission was subject to the following condition:

02 The garage/stable building hereby permitted shall be used only for the purposes of a domestic garage and stable, incidental to the enjoyment of the dwellinghouse, and shall at no time be used as a separate or self-contained dwelling, nor for any industrial, commercial or business use.

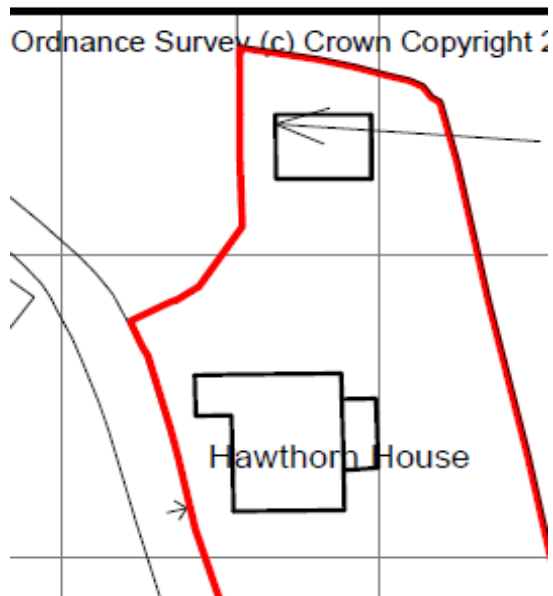
Reason: In order to safeguard the amenities of nearby occupiers.

- 8.3 The above condition restricts the use of the building to a domestic garage/stable. However, the plans for the above consent (01/0568) show an outbuilding that was approved in a different location (closer to the house) and that is different in terms of scale and design to the building this application relates to. As such, it would appear that this permission was not implemented insofar as the outbuilding is concerned and the building on site has been built without planning permission, albeit potentially permitted development and may be immune from planning enforcement action if built more than 4 years ago.

- 8.4 Evidence to support the building having been erected more than four years ago

Historic aerial photographs of the site dating back to 2001 appear to show a building in a similar location to the current outbuilding but sited differently, with the site location plan extract underneath showing the orientation of the building:

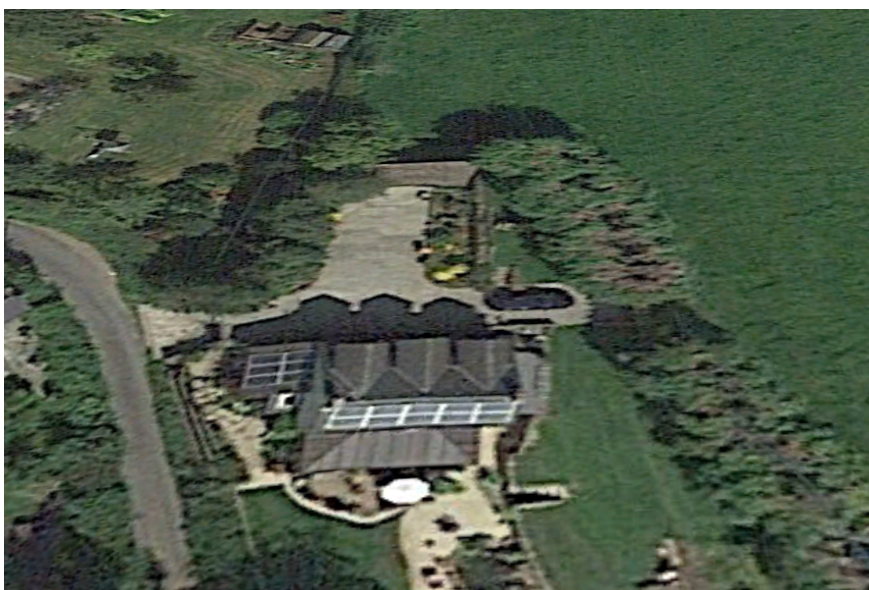


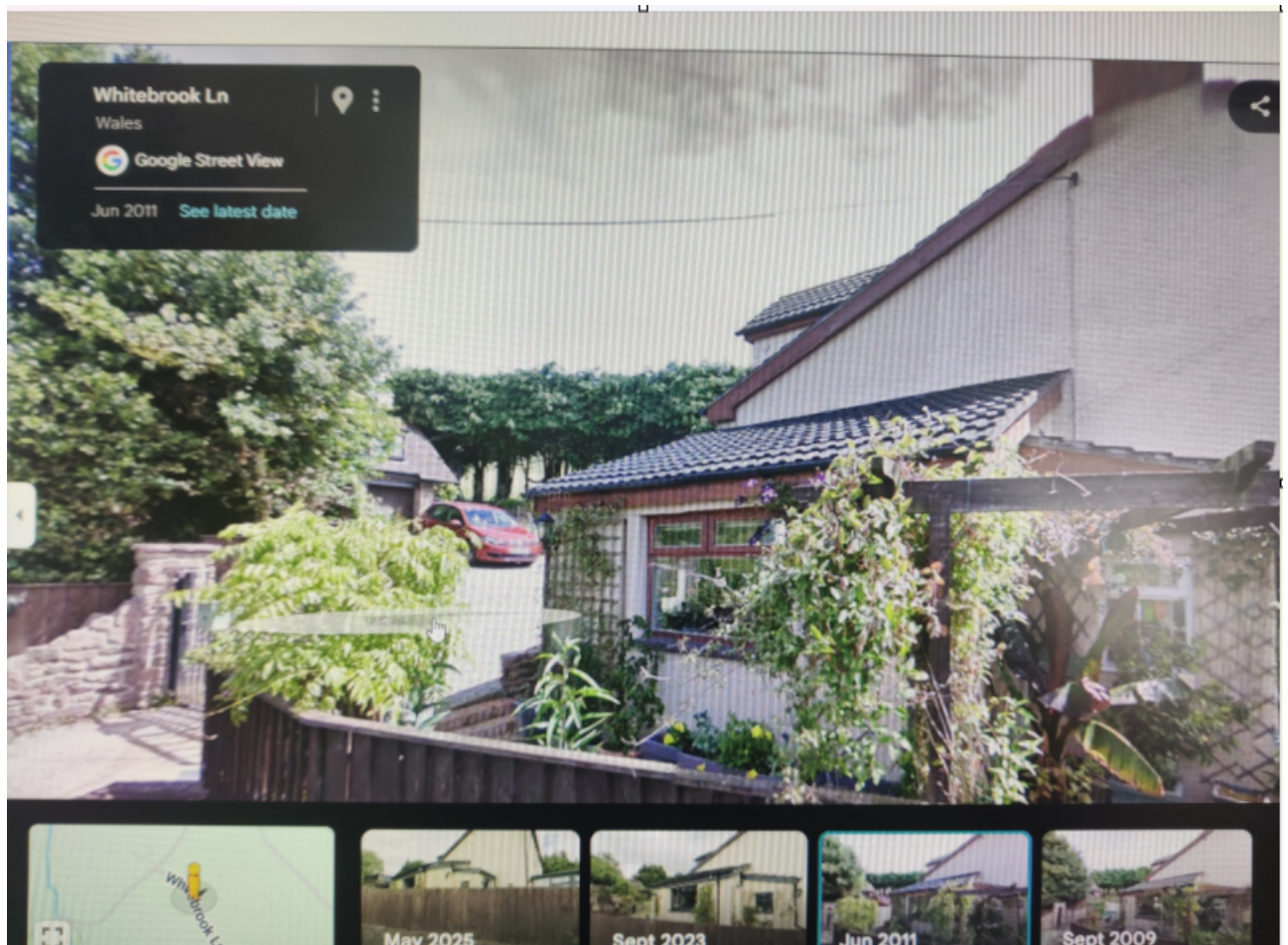


8.5 This building appears to have been demolished by 2006:

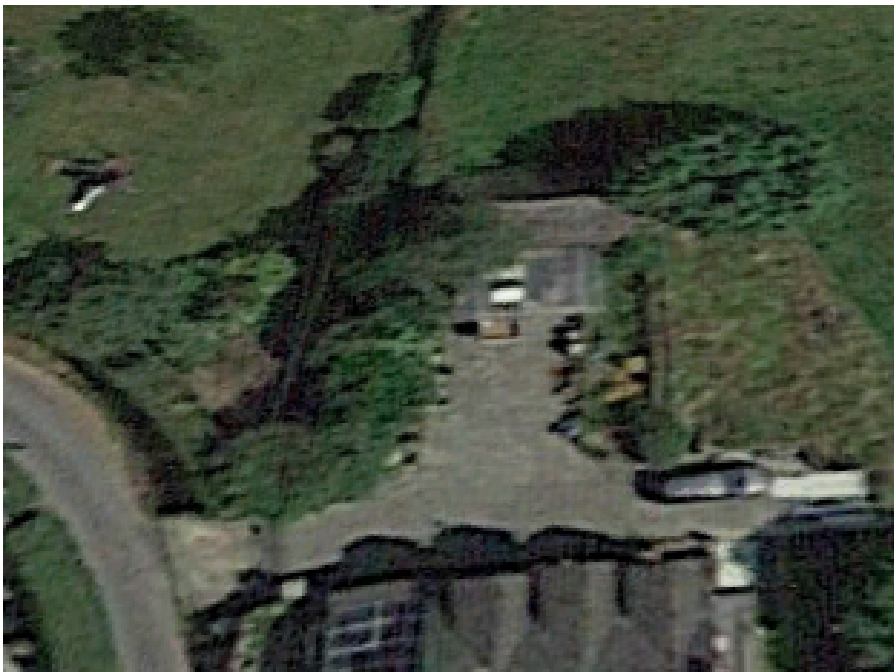


8.6 The aerial image from 2014 appears to show the current building at the site but without the front canopy and the image beneath that is a street view image submitted by the applicant in which part of a building can be seen. The building appears to be sited similarly to that shown in the supporting information and of a similar appearance:





8.7 In July 2021 the building and canopy appear to be present.



8.8 Whilst no other supporting information has been provided, it would appear from photographs that the building was completed more than four years ago and on the balance of probabilities is therefore immune from enforcement action. The Council has no information that would contradict this

8.9 **Visual Amenity/Character and Appearance:**

In order to accommodate the annex, external works would consist of the insertion of bi-fold doors to the southern elevation and an extension to the east elevation to provide a bathroom. The extension would measure 2.3m in width, 3.6m in length and 2.5m high with

a flat roof. The extension would have a window in the south elevation. The internal layout would consist of an open plan living space with a separate bathroom at ground floor and a bedroom in the roof space.

- 8.10 The extension would not be highly visible from the highway as the garage is setback from the highway and would be sited on the eastern elevation which is the least prominent elevation when viewed from Whitebrook Lane. Given that views of the outbuilding are minimal, it is considered that the garage extension is appropriately sited in the context of the property.
- 8.11 The site is within the Wentwood Special Landscape Area (Policy SP8) and as such, the proposal is required to contribute positively to the area through high quality design, materials and management schemes that demonstrate a clear appreciation of the area's special features. The existing garage is sited on the amenity boundary with open field beyond, so a buffer is required to define residential amenity from the agricultural land use. As such, mixed native hedge planting is proposed along the eastern boundary. The Council's Landscape Officer is satisfied with the details provided.
- 8.12 **Annexe Use:**
Policy H7 (Annexes to Residential Dwellings) states that proposals for the provision of self-contained annexe accommodation will only be permitted subject to criteria. Firstly, the proposed annexe must be of limited size and provide only essential accommodation that is commensurate with the needs of the user and supplementary to the facilities and accommodation available in the associated dwellinghouse. The proposed annexe would utilise the existing detached garage, which is approximately 12m from the host dwelling, albeit with a small-scale extension to accommodate a bathroom at ground floor however the garage remains subservient in scale. Internally, the garage would serve a living room and bathroom at ground floor and a bedroom at first floor. The annexe would not have a separate kitchen which suggests that the occupant of the annexe and the main dwelling would interact (including at mealtimes) in the main house. This also demonstrates that there is a functional link with the associated dwellinghouse in respect of the relationship with the occupiers of the associated dwellinghouse and the services/facilities available for the user of the annexe. As forementioned, the annexe is located within the existing curtilage of the associated dwellinghouse and as such the vehicular access, parking areas, pedestrian routes and garden areas would all be shared. In addition, the annexe would have the same postal address as the main house. Given the above, it is considered that the proposed development is in accordance with Policy H7 of the Newport local Development Plan 2011 – 2026 (Adopted January 2015).
- 8.13 **Residential Amenity:**
It is acknowledged that concerns have been raised regarding the subdivision of the plot, the use of the annexe as an independent dwelling in the future and the potential use of the annexe as a sub-let i.e. as an AirBnB. Case law sets out that decisions must be made on *what is actually proposed and not what could happen in the future* ... This is logical, because whether something could happen is a matter for future planning control. If the building is not used as proposed, or if there is a material change of use in the future to create a separate dwelling or for use as a short term let/AirBnB, then a separate grant of planning permission would be required, and the building would be at risk of enforcement action if such permission had not been granted. Any future desire to occupy the annex as a wholly independent residence or as a short-term let/AirBnB would require planning permission.
- 8.14 It is also acknowledged that the application form features an inaccuracy as it states that the site cannot be seen from a public road however the site can be seen from a public road (Whitebrook Lane) and a public footpath to the northeast of the garage. Notwithstanding this, this inaccuracy does not prejudice consideration of the application, and the case officer is aware of the site context and has undertaken a site visit and full evaluation of the information provided.
- 8.15 **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 GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect, and enhance ecological networks and features of importance for biodiversity. The ecological enhancements proposed as part of the development is commensurate with the scheme and the implementation will be secured through a suitably worded planning condition. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026.

8.16 Highways Safety:

The Council's Highways Officer was consulted on this application and has noted that the location is not considered sustainable as Whitebrook Lane is narrow and unsuitable for two-way traffic, therefore a second home or other use such as a let would not be supported. As previously specified, if the building is not used as proposed, or if there is a material change of use in the future to create a separate dwelling, then a separate grant of planning permission would be required. On that basis the Highways Officer has not offered an objection subject to a condition that specifies that the annexe can only be used as an ancillary part of the main residence.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

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

9.2 *Equality Act 2010*

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

9.3 Having due regard to advancing equality involves:

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

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

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

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

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

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

upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

- 10.1 The development would not harm the visual or residential amenity of Whitebrook Lane nor the wider Countryside/Special Landscape Area. A condition will be added to ensure the annexe is solely used for accommodation ancillary to the main dwelling and does not become an independent unit of residential accommodation. Further conditions will be added to ensure the implementation of native hedge planting and a biodiversity enhancement scheme. The development is in accordance with Policies SP8, GP2, GP5, GP6 and H7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. DECISION

GRANTED WITH CONDITIONS

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

- Proposed Floor Plan and Elevations
- 2542/05C Proposed Site Plan
- Green Infrastructure Statement
- Site Location Plan

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 The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Hawthorn House, Whitebrook Lane.

Reason: To ensure the building does not become an independent unit of residential accommodation.

03 The external surfaces of the development hereby permitted shall only be of materials to match those of the existing building, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is completed in a manner compatible with its surroundings in accordance with Policy GP6 of the NLDP 2011-2026.

04 Prior to the first beneficial occupation/use of development hereby approved, the mixed native hedge planting along the eastern boundary as specified in approved documents '2542/05C Proposed Site Plan' and 'Hedge Planting Specification' shall be installed and retained as such for the lifetime of development.

Reason: In the interest of biodiversity, in accordance with Policy GP5 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

05 Prior to the first beneficial occupation/use of development hereby approved, the bird box and bat box as specified in approved documents 'Green Infrastructure Statement' and 'Proposed Floor Plan and Elevations' shall be installed and retained for the lifetime of development.

Reason: In the interest of biodiversity, in accordance with Policy GP5 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Existing Floor Plan and Elevations, Proposed Floor Plan and Elevations, 2542/05C Proposed Site Plan, Green Infrastructure Statement, Site Location Plan, Hedge Planting Specification.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP5, SP8, SP9, GP2, GP4 GP5, GP6 and H7 were relevant to the determination of this application.

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