

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Demolish extensions and detached garage. Extend and alter at ground and first floor level including balcony to north (rear) elevation, erect detached garage to west boundary.

LOCATION: Heaton Moor, Forest Road, Forest.

APPLICANT: Mr & Mrs A Corbin

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 26/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH: AC-21-1034-02C & 03C.

Application Ref: FULL/2021/1742

Property Ref: H002740000+H002760000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.Written details and a finished sample of the timber cladding proposed to be used in the development hereby permitted shall be submitted to and agreed in writing by the Authority before any such timber cladding is brought onto the site or installed on the building. Any finish to be applied to the cladding shall be applied within 28 days of the cladding being installed.

Reason - To ensure the appearance and finish of the proposed timber cladding is high quality so as to conserve the character and appearance of the Conservation Area.

5.Prior to the commencement of any work in connection therewith, precise details of the 'living wall' to the east elevation of the extension hereby approved, including drawings showing the method of construction, details of the plant species to be used and a plan for its management and maintenance, shall be submitted to and agreed in writing by the Authority.

Reason - The provision of the 'living wall' in accordance with the approved plans is necessary to secure a high quality finish to the completed development in order to preserve the character and appearance of the Conservation Area.

6.The 'living wall' shall be completed in accordance with the details agreed under the above condition within the first planting season following the completion of the single-storey extension to the east of Heaton Moor. It shall then be maintained in accordance with the management and maintenance plan agreed under the above condition.

Reason - The provision of the 'living wall' in accordance with the approved plans is necessary to secure a high quality finish to the completed development in order to preserve the character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 25/01/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage/workshop to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as Heaton Moor. The land recognised as domestic curtilage by the Authority is the area outlined in red on the approved plan, AC-21-1034-03 C.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).
- (2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.
- (3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.
- (4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.
- (5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2021/1742
Property Ref: H002740000+H002760000
Valid date: 23/08/2021
Location: Heaton Moor Forest Road Forest Guernsey GY8 OAB
Proposal: Demolish extensions and detached garage. Extend and alter at ground and first floor level including balcony to north (rear) elevation, erect detached garage to west boundary.

Applicant: Mr & Mrs A Corbin

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

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Reason - To ensure the appearance and finish of the proposed timber cladding is high quality so as to conserve the character and appearance of the Conservation Area.

5. Prior to the commencement of any work in connection therewith, precise details of the 'living wall' to the east elevation of the extension hereby approved, including drawings showing the method of construction, details of the plant species to be used and a plan for its management and maintenance, shall be submitted to and agreed in writing by the Authority.

Reason - The provision of the 'living wall' in accordance with the approved plans is necessary to secure a high quality finish to the completed development in order to preserve the character and appearance of the Conservation Area.

6. The 'living wall' shall be completed in accordance with the details agreed under the above condition within the first planting season following the completion of the single-storey extension to the east of Heaton Moor. It shall then be maintained in accordance with the management and maintenance plan agreed under the above condition.

Reason - The provision of the 'living wall' in accordance with the approved plans is necessary to secure a high quality finish to the completed development in order to preserve the character and appearance of the Conservation Area.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage/workshop to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as Heaton Moor. The land recognised as domestic curtilage by the Authority is the area outlined in red on the approved plan, AC-21-1034-03 C.

OFFICER'S REPORT

Brief Description of the site:

Heaton Moor is a detached dwelling with single-storey extensions to side and rear. Vehicular access is to the west site boundary. A detached outbuilding is situated to the rear/north of the dwelling. The west and east boundaries are marked by established landscaping. Access to the field to the north of the property is via a gate in the north site boundary. An earthbank exists along the line of the existing domestic garden associated with the dwelling.

Planning permission is sought for the demolition of the existing outbuilding and rear extensions and the erection of extensions to the rear of the property. As originally submitted the extension was considered to be of a scale and mass that would not sit comfortably with the character of the traditional building, Heaton Moor and concerns were raised with regard to its design and architectural composition. Revised plans have been submitted that seek to address these concerns. The compass points for the revised elevation drawings have however, been incorrectly labelled on these revised plans.

As amended, the scheme relates to the erection of a two-storey flat roof link extension to the rear of the dwelling along with a pitched roof two-storey extension situated parallel to the main house. The extension has been designed with a timber clad exterior and standing seam metal roof covering. Single-storey extensions are proposed to either side of the main two-storey extension. The single-storey render finished extension to the rear/north of the dwelling has been designed with a roof terrace over. The east elevation of this extension is shown to be a 'living wall'. The west extension is shown to be timber clad to reflect the main extension. The scheme also proposes a first floor side extension (west elevation) and the erection of a detached outbuilding in the northwest corner of the site

As originally submitted the scheme sought the change of use of agricultural land (1420 sqm) to domestic garden however concerns were raised regarding this aspect of the proposed development as the land falls within the Agriculture Priority Area and following the deferral of the application this aspect of the scheme was omitted. The revised application drawings shows a cross section of an earthbank which related to the change of use of agricultural land to domestic garden but does not relate to the scheme as amended.

The site is located Outside of the Centres and within a Conservation Area and Airport Consultation Zone as designated in the Island Development Plan. The house and domestic garden falls outside the Agriculture Priority Area whilst the land to the north is located within it.

Relevant History:

None.

Existing Use(s):

01 dwellinghouse

28 agriculture

Assessment: *(Tick as appropriate)*

no representation

X

accords with policy

X

within curtilage

X

design acceptable

X

visual amenity acceptable

x

no material neighbour impact

x

traffic not affected

x

Policies considered most relevant:

Island Development Plan policies:

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

Representation:

One letter of representation has been submitted commenting on the change of use of agricultural land to domestic garden and questioning whether the proposal accords with the Strategic Land Use Plan and Island Development Plan policies.

Forest Constables object to the loss of the agricultural land setting out that the reason for the proposed change is to increase the value of Heaton Moor.

Conclusion/Brief comment:

The existing extensions and outbuilding are of no particular merit to warrant their retention.

The extensions proposed to the rear of Heaton Moor are contemporary in their design and appearance, with a combination of larch timber cladding and render exterior and metal clad pitched roof. A subservient flat roof extension is proposed to separate the original dwelling from two-storey timber clad extension. The link is set in from the gable walls of the main house and the east elevation is shown to be entirely glazed. This aspect of the development will largely been screened from view. It also provides a visual break and separation between the original, traditional house and the more contemporary two-storey extension.

The pitched roof extension to the side/west of Heaton Moor is traditional in its appearance, in keeping with the dwelling and represents a high standard of design within the Conservation Area.

Heaton Moor is a traditionally designed and detailed dwelling situated at the entrance to the Conservation Area and it is a prominent building on Forest Road. Although trees exist along the site boundaries they cannot be relied upon to be retained in order to offer screening of development proposed to the rear of the property. The revisions do not see the development spread extensively north, into the existing garden of Heaton Moor and as a result will not be highly visible or intrusive in the Conservation Area. The parallel rear and other extensions are considered to represent a high standard of design that will respect the local built environment. The introduction of a 'living wall' to the east elevation of the proposed extensions, in addition to the other materials shown, will help reduce the apparent scale and bulk of the building and have a softening effect to the east elevation which will be visible from Forest Road. The scheme does not include details about the installation of, plants proposed nor the maintenance of the 'living wall' and it's reasonable to require this information to be provided by condition. This is to help ensure that this aspect of the development thrives and does not fail which could have a detrimental impact on the character and appearance of the Conservation Area. It is also considered appropriate to impose a condition relating to the timber cladding as the submission does not specify if this is to be treated/painted or left to weather naturally.

The extensions will enable the property to offer flexible and adaptable accommodation that can respond to the needs of the property owners over time. Furthermore, the design of the extensions is such that the scheme has considered the health and well-being of occupiers of the property by introducing large areas of glazing to maximise light and ventilation along with a balcony for additional external amenity space.

Heaton Moor is situated away from the site boundaries and the proposed extensions will not result in overshadowing or loss of light to the adjoining residential neighbours. Established landscaping to the east and west site boundaries will help reduce the potential for overlooking and loss of privacy however it is acknowledged that the boundary landscaping could be reduced in height at any time. Nonetheless, due to the siting of the dwelling in its plot the windows in the east and west elevation of the extension will face the frontage areas/driveways of the adjoining dwellings and the potential for overlooking and loss of privacy is kept within acceptable limits. The balcony proposed to the rear of the property would not afford views of the private areas to the north of the adjoining dwellings nor result in unacceptable overlooking and loss of privacy to existing windows or rooflights in the side elevations of the adjoining properties.

The detached garage/workshop is to be situated in the northwest corner of the site. Its siting and design is appropriate in the Conservation Area as glimpse views only will be provided from Forest Road. The outbuilding is single-storey in height and will

not result in overshadowing or loss of light to the adjoining dwelling to the west. The west elevation of the building is blank therefore the structure will not generate the potential for overlooking or loss of privacy in this respect. There is ample distance separation to the east to ensure that the development does not have an adverse impact on the amenities of the occupiers of the dwelling to the east.

The proposed domestic garage/workshop will prevent direct access from the application site to the field to the north however a gate exists in the north boundary of the field which will be retained and vehicular access may be provided across the adjoining field to the north, subject to the relevant right of way permissions/consents.

The garage and site will offer adequate off-road parking to serve the dwelling in line with the adopted parking space standards.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

In view of the above it is recommended that planning permission is granted for the proposed developments.

Recommendation:

Grant with Conditions



Date: 20 January 2022

