

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: Subdivide dwelling to create 2 dwellings (Residential Use Class 1) alteration to fenestration and remove section of earthbank to create vehicle access.

LOCATION: Elangeni, Les Nouettes, Forest.

APPLICANT: Mr N Timms

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: 03/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Grey Bear Chartered Architect Ltd: 114-3-001, 002B, 003B & 04

Application Ref: FULL/2022/0056

Property Ref: H00182A003

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.

Expiry Date: This permission will cease to have effect on 02/03/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2022/0056
Property Ref: H00182A003
Valid date: 26/01/2022
Location: Elangeni Les Nouettes Forest Guernsey GY8 0ED
Proposal: Subdivide dwelling to create 2 dwellings (Residential Use Class 1) alteration to fenestration and remove section of earthbank to create vehicle access.

Applicant: Mr N Timms

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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).

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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.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Elangeni' is a one and a half storey detached 1970's dwelling which is in the middle of a corner plot. The road runs along the west boundary and winds round and runs along the north boundary. The property faces west and had a single storey pitched roof garage/workshop added in the 1980's. The property is surrounded by other residential properties. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

OC1: Housing Outside of the Centres
GP8: Design
GP9: Sustainable Development
IP7: Private and Communal Car Parking
IP9: Highways Safety, Accessibility and Capacity.

Conclusion/Brief comment:

This application is to subdivide the dwelling to create two dwellings, one a two/three bedroom one and a half storey main dwelling and one a one bedroom single storey apartment. Some alterations to fenestration and the removal of a section of earthbank to reinstate a previous vehicle access is also proposed.

The principle of new housing Outside of the Centres is supported under the provisions of Policy OC1 provided this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building.

The subdivision of a dwelling into two or more self-contained units or into a house for multiple occupation will only be supported where:

“a. the resultant development would be compatible with the character and amenities of the surrounding area; and,

b. the development would be acceptable in terms of provision of a satisfactory living environment and amenities; and,

c. the subdivision would not involve more than a modest extension to the existing building to create adequate accommodation and the extension is not of such a scale that it forms a significant part of any new unit”.

The surrounding built environment is characterised by detached properties of varying scales, forms, and designs.

The proposals will not alter the built environment on the site, as there are to be no extensions only some alterations to some of the fenestration to allow the property to be split into two. The split will be between the main house and the later extension to the north.

The proposed development leaves the main part of the house as it is, blocking up the two internal doorways into the extension. The extension will be converted to provide a lounge/kitchen in the garage with a bedroom and bathroom to the rear where the workshop was. There is plenty of light entering the building from the lounge double doors, and two rear doors, as well as plenty of windows. There is more than enough internal space provided to comply with Part G of the Guernsey Technical Standards for new residential units.

Careful consideration has been given to the following factors in assessing the health and well-being of the occupiers of the development including; adequate daylight, sunlight, aspect/outlook, privacy, internal space provision and private/communal open space as set out in Policy GP8 and Annex 1: Amenities. Furthermore, all of the accommodation is provided for at ground floor level, and the accommodation could be altered in the future if required (widths of doors altered etc.) to provide for lifetime home standards in accordance with the provisions of GP8.

The split in the property will be along the north elevation of the original dwelling, this will mean the existing driveway will become part of the apartment's outdoor amenity space, along with a reasonable amount of private garden to the rear of the property. A hedge at the front and a 1.8m fence at the rear will separate the gardens.

Around 2010, a gravel driveway was added to the front of the main dwelling. This application is requesting a section of the front earthbank at the southern end of the west boundary to be removed to allow a separate vehicular access for the main dwelling. Les Nuettes is a neighbourhood road, which is not considered a busy road,

the required visibility splays of 20m will be achieved with the proposal to remove the earthbank. Therefore, the proposals are considered to comply with policy IP9.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 28/02/2022

