

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 dwelling and erect replacement dwelling and single storey detached garage to south boundary.

LOCATION: Moonrakers, Calais Road, St. Martin.

APPLICANT: Mr C Moore

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: 06/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A 7490-03 B1A, B2, B3B & B4B.
PF+A Design & Sustainability Report (Revised) (dated stamped 31/05/2022)

Application Ref: FULL/2022/0211

Property Ref: J01723A000

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.No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting; and
- iii) planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 4, in the first planting season following the first occupation of the dwelling or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6.The solar panels shall not be installed and the permeable hard surfaces shall not be constructed until details of their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the solar panels, permeable hard surfacing, electric car charging point, rainwater harvesting system and water cistern and all other sustainable design features set

out in the PF+A Design & Sustainability Report (Revised) (dated stamped 31/05/2022) have been installed/completed/made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

7.The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

Expiry Date: This permission will cease to have effect on 05/07/2025 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/2022/0211
Property Ref: J01723A000
Valid date: 14/02/2022
Location: Moonrakers Calais Road St. Martin Guernsey GY4 6AP
Proposal: Demolish dwelling and erect replacement dwelling and single storey detached garage to south boundary.

Applicant: Mr C Moore

RECOMMENDATION - Grant: Planning Permission with Conditions:

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OFFICER'S REPORT

Site Description:

The property known as 'Moonrakers' is a mid-20th century one and a half storey pitched roof detached dwelling which is set back from and faces east onto Calais Road. The house sits in the middle of the site with large front and rear gardens and a winding driveway. To the north, west and south are other detached neighbouring residential properties.

The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

26/01/2022 – FULL/2021/2520 – Permission granted for the demolition of chimney (retrospective), erect 1.5 storey extension to north (side) elevation, 1.5 storey extension to east elevation, alterations to roof form (south) and installation of two dormers (west) elevation.

12/11/2021 – FULL/2021/1854 – Permission granted to infill vehicular access from Le Varclin and access to be provided via existing vehicular access at "Moonrakers", Calais Road. Erect fence along new north boundary with Varclin Orchard and lay area of hardstanding.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to demolish dwelling and erect a replacement 2 storey hipped roof dwelling with a single storey detached double garage inside the south boundary. The dwelling would be finished with smooth rendered walls, grey aluminium fenestration and a natural slate roof.

As part of the development the replacement dwelling would be relocated approximately 14 metres to the east and the western half of the site would be separated off and used as a garden for a neighbouring dwelling.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP1 - Landscape Character and Open Land
GP8 - Design
GP9 - Sustainable Development
GP13 – Householder Development
IP6 – Transport Infrastructure and Support Facilities
IP7 - Private and Communal Car Parking
IP9 - Highway Safety, Accessibility and Capacity

Representations:

One letter of representation notes that the species of the new hedge is not specified and states that having regard to the Strategy for Nature the hedge should be of a native species.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design, scale and impact of the development on the open character and appearance of the area.
2. The impact of the development on the amenity of people living in the area.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Policy GP13 indicates that proposals for the demolition and rebuild of existing dwellings will be supported subject to certain criteria being met including with regards to the impact on the amenities of neighbouring properties, taking into account the surrounding character and where they accord with all the relevant policies of the Island Development Plan.

Properties within the area are of a mixed size and design, although the majority of properties are detached. The footprint of the replacement dwelling is similar to the existing dwelling but the two storey design would result in a substantial increase to the scale and mass of the dwelling. However, the dwelling would be situated on a good sized plot and despite the increase to the scale and mass of the dwelling, the size of the dwelling would be proportionate to the size of the plot as a whole and it

would not be dissimilar to the scale and mass of existing properties within the area. The relocation of the dwelling on the plot to the east would more closely align with the building line of neighbouring properties to the west of Calais Road.

Until recently the site benefitted from mature soft landscaped gardens with mature trees along the east roadside boundary. This soft landscaping has been comprehensively removed and the site now appears unusually bare when viewed alongside the mature soft landscaped grounds of neighbouring properties along the street. Consequently, the visual impact of the replacement dwelling could be further softened by incorporating a comprehensive soft landscape scheme for the site which includes the planting of trees along the east roadside boundary. This could be dealt with by condition.

The overall design of the replacement dwelling is good and subject to an appropriate soft landscape scheme, the proposal would have no significant adverse effects on the character and appearance of the area, in accordance with Policies GP1, GP8 and GP13.

The replacement dwelling would be centrally located within the plot and would be set back a minimum of 5 metres from neighbouring boundaries. There are no first floor windows in the north and south (side) elevations. There are first floor windows and a balcony to the rear (west) elevation but the distance to neighbouring boundaries together with the size and layout of neighbouring properties is likely to result in no significant loss of privacy for neighbouring properties. Overall the proposal would have no material adverse effects on the amenities of neighbouring residents.

The replacement dwelling would have adequate car parking and there is sufficient space to provide secure covered bicycle parking either within the garage or elsewhere on the site.

The application is supported by a Design & Sustainability Report which was revised during the course of consideration to provide further details of the sustainable design features to be incorporated into the development. The agent advises that the replacement dwelling will exceed the Guernsey Technical Standards in terms of thermal performance and air tightness and the proposal will include other sustainable design features including solar panels, a permeable driveway, an electric car charging point and rainwater harvesting systems to a water cistern. A Waste Management Plan has been submitted which sets out how construction waste is to be minimised and dealt with. The overall layout and form of the development and the information submitted is sufficient to demonstrate that the development has been designed to take into account the use of energy and resources, in accordance with Policy GP9.

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.

It is recommended that the application is approved.

Date: 06/07/2022