

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 outbuilding, extend and alter at ground floor, 1st floor and basement level to east (side) elevation and relocate glass house.

LOCATION: Lasmae, Rue De La Haye, Castel.

APPLICANT: Mr & Mrs M Leonard

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: 31/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design 21-1286 PD/ 01A, 02A & 03A.

Application Ref: FULL/2022/0255

Property Ref: D001400000

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 shall begin on site until precise details of the 'green roof', including drawings showing the method of construction, details of the plant species to be used and a plan for its management and maintenance, have been submitted to and agreed in writing by the Authority.

Reason - The inclusion of a 'green roof' is an integral part of the design concept for the development hereby permitted. Its provision is essential to secure the good standard of design of the completed development.

5. No occupation of the new dwelling shall begin until the 'green roof' has been completed in accordance with the details agreed under the above condition. It shall then be maintained in accordance with the management and maintenance plan agreed under the above condition.

Reason - The inclusion of a 'green roof' is an integral part of the design concept for the development hereby permitted. Its maintenance is essential to secure the finished appearance of the completed development.

6. No development, including site works, shall begin on site until the applicant or developer afforded access to the States Archaeologist to make a photographic record and survey of the bunker.

Reason - The application site is located within an area of known archaeological importance and appropriate and satisfactory recording of the bunker is necessary to make sure that any features of archaeological interest are recorded.

Expiry Date: This permission will cease to have effect on 30/03/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Lasmae. The land recognised as domestic curtilage by the Authority was approved under application reference FULL/2018/1091 and is identified on the plan enclosed with this decision notice. The trampoline currently situated on the agricultural land to the south of the dwelling should be removed within 28 days of this permission otherwise the matter will be referred to Planning Enforcement for further investigation.

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/2022/0255
Property Ref: D001400000
Valid date: 23/02/2022
Location: Lasmae Rue De La Haye Castel Guernsey GY5 7QE
Proposal: Demolish outbuilding, extend and alter at ground floor, 1st floor and basement level to east (side) elevation and relocate glass house.
Applicant: Mr & Mrs M Leonard

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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agreed in writing by the Authority.

Reason - The inclusion of a 'green roof' is an integral part of the design concept for the development hereby permitted. Its provision is essential to secure the good standard of design of the completed development.

5. No occupation of the new dwelling shall begin until the 'green roof' has been completed in accordance with the details agreed under the above condition. It shall then be maintained in accordance with the management and maintenance plan agreed under the above condition.

Reason - The inclusion of a 'green roof' is an integral part of the design concept for the development hereby permitted. Its maintenance is essential to secure the finished appearance of the completed development.

6. No development, including site works, shall begin on site until the applicant or developer afforded access to the States Archaeologist to make a photographic record and survey of the bunker.

Reason - The application site is located within an area of known archaeological importance and appropriate and satisfactory recording of the bunker is necessary to make sure that any features of archaeological interest are recorded.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Lasmae. The land recognised as domestic curtilage by the Authority was approved under application reference FULL/2018/1091 and is identified on the plan enclosed with this decision notice. The trampoline currently situated on the agricultural land to the south of the dwelling should be removed within 28 days of this permission otherwise the matter will be referred to Planning Enforcement for further investigation.

OFFICER'S REPORT

Brief Description of the site:

Lasmae is a detached one and a half storey dwelling that has previously been extended. A detached hipped roof garage and a glasshouse exist to the east of the dwelling and a flat roof summerhouse/outbuilding exists to the west of the dwelling.

The application relates to the erection of a two and a single-storey extension to the side/east of the dwelling. The extension will house an entertainment room accessed from the existing lounge with basement below, first floor terrace and snug above and providing access to a garage and garden store with a sedum roof. The glasshouse

is to be repositioned from the area of the extension to the west of the existing swimming pool.

The site is located Outside of the Centres and within an Agriculture Priority Area.

Relevant History:

Pre-application advice was sought in this case.

FULL/2018/1091 - Change of use of agricultural land to domestic garden – granted

FULL/2017/2854 – Extension of domestic curtilage – refused

PAPP/2004/0944 - Remove glasshouse and Leylandii hedge and erect a garage – granted

PAPP/2004/0945 - Install swimming pool, erect pool house and lay decking – granted

PAPP/2004/3473 - Construct a pool house and lay decking – granted

PAPP/2005/0758 - Install swimming pool – granted

PAPP/2005/0905 - Remove Glasshouse and Leylandii hedge and erect a garage (revised) - granted

Existing Use(s):

01 dwellinghouse

28 agriculture

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

within curtilage

☒

design acceptable

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

Policies considered most relevant:

Island Development Plan policies:

GP7: Archaeological Remains

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Consultation:

States Archaeologist - would like to make some brief comments on the planning application submitted for this property, specifically in relation to the works proposed on the German bunker (a personnel shelter forming part of Batterie Barbara).

It is quite difficult to establish information about the bunker in its current form from the plans available online. However drawings PD/01 and PD/03 both mark the outline of the bunker, and I assume that the 'existing structure(s) to be removed' shown within this area on plan PD/03 are part of the original bunker structure, unless these are post-War modifications – it is not possible to be certain from the plan. I also assume that the 'existing stairs to be removed' on the west side of the bunker are part of the original German structure.

In view of the fact that the bunker will be substantially altered, including the demolition of some parts of it, I would therefore like to request that either my department and/or Festung Guernsey are required to make a photographic record and survey of the bunker before any of this work takes place.

Conclusion/Brief comment:

The proposed extension has been designed with a contemporary external appearance with a mix of vertical timber cladding, render and zinc and incorporating a flat sedum roof. The first floor element of the extension has a pitched roof with dormer to the rear/north. Whilst the scheme does not reflect the appearance of the existing dwelling the Island Development Plan (IDP) offers flexibility in design matters to enable the property owner to exert personal choice. The scheme represents a good standard of design that respects the open landscape concerned and the provision of an appropriately planted sedum roof will introduce soft landscaping to the scheme which will contribute to the local area.

The scheme also has considered the health and well-being of occupiers by providing large areas of glazing to provide sunlight and daylight to the accommodation and the provision of covered terraces on the ground floor with a roof terrace over further enhances the external amenity space serving the dwelling. The extension will offer flexible and adaptable accommodation that can respond to the needs of occupiers over time.

There are no immediate neighbours adjoining the site therefore the scheme will not result in overshadowing or unacceptable loss of privacy to the occupiers of any nearby dwellings.

As the site is located in an Archaeological Area and the bunker on site would be affected by the proposed development it is reasonable to impose a condition to secure the appropriate recording of this structure prior to the commencement of work on site to ensure compliance with Policy GP7.

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 planning permission is granted for the proposed development subject to a condition relating to the sedum roof.

Recommendation:

Grant with Conditions



Date: 29 March 2022

