

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: Variations to plans previously approved to demolish outbuildings and erect dwelling - vary Condition 12 to omit hemp lime construction; relocate dwelling 5m north, increase floor area to east elevation, alterations to rooflights, fenestration and material changes to facade and flat roof.

LOCATION: Site At, Rue A Chiens, St. Sampson.

APPLICANT: Mr L Abbott

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: 16/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: App: 1024-01/B1B & /B2B.

Application Ref: FULL/2022/0437

Property Ref: B014930000

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 on or before 18/02/2024.

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. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 19/02/21, issued under planning application reference FULL/2020/2178, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

5. Infrastructure to support the future installation of roof-mounted solar panels shall be installed, and the solar panels indicated on Dwg. No. 1024-01-B2B shall be installed and made operational, before the first occupation of the dwelling.

Reason - The applicant has relied on these features of the design to demonstrate that the development will achieve a significantly enhanced sustainable design over the previous scheme for conversion of the existing buildings, and it is important that the development is constructed on that basis to ensure compliance with Island Development Plan Policy GP16(B).

6. No development shall begin on site until precise details of the sedum 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 sedum roof is an integral part of the design concept for the development hereby permitted, required to demonstrate that the development will achieve a significantly enhanced sustainable design over the previous scheme for conversion of the existing buildings, and it is important that the development is

constructed on that basis to ensure compliance with Island Development Plan Policy GP16(B).

7.No occupation of the new dwelling shall begin until the sedum 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 sedum roof is an integral part of the design concept for the development hereby permitted, required to demonstrate that the development will achieve a significantly enhanced sustainable design over the previous scheme for conversion of the existing buildings, and it is important that the development is constructed on that basis to ensure compliance with Island Development Plan Policy GP16(B).

Expiry Date: This permission will cease to have effect on 19/02/2024 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/2022/0437
Property Ref: B014930000
Valid date: 23/03/2022
Location: Site At Rue A Chiens St. Sampson Guernsey
Proposal: Variations to plans previously approved to demolish outbuildings and erect dwelling - vary Condition 12 to omit hemp lime construction; relocate dwelling 5m north, increase floor area to east elevation, alterations to rooflights, fenestration and material changes to facade and flat roof.

Applicant: Mr L Abbott

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.

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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.

4. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 19/02/21, issued under planning application reference FULL/2020/2178, and subject to the terms and conditions thereof.

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Reason - The applicant has relied on these features of the design to demonstrate that the development will achieve a significantly enhanced sustainable design over the previous scheme for conversion of the existing buildings, and it is important that the development is constructed on that basis to ensure compliance with Island Development Plan Policy GP16(B).

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Reason - The inclusion of a sedum roof is an integral part of the design concept for the development hereby permitted, required to demonstrate that the development will achieve a significantly enhanced sustainable design over the previous scheme for conversion of the existing buildings, and it is important that the development is constructed on that basis to ensure compliance with Island Development Plan Policy GP16(B).

OFFICER'S REPORT

Brief Description of the site:

The site comprises a former vinery site located to the south-west of Rue a Chiens. The glasshouses appear to have been cleared from the site, with only the associated ancillary buildings retained adjacent to the north boundary. The land to the east of those buildings currently comprises open grassland, with the previous planting having been cleared.

The site access is in the north-east corner, serving a track which runs along the north boundary to an area of hardsurfacing in the north-west corner. The track is bounded by low walls to either side, with access points into the site in the centre point of the track and from the area of hardsurfacing. The track and hardsurfacing fall within the site ownership, although have been formerly used on an informal basis to provide public access and parking in association with La Garenne Nature Reserve to the north-west.

The site is bounded by open land to the south, west and north-west, by two residential properties to the north with La Garenne Industrial Estate beyond, and by a glasshouse site on the opposite side of the road to the east.

The site is located Outside of the Centres in the Island Development Plan. The site itself is not subject to any additional designations, however the land to the north-west (La Garenne Nature Reserve) is a designated Area of Biodiversity Importance.

Relevant History:

17/10/18 FULL/2018/1430 Permit to extend and convert two outbuildings to form dwelling and change of use of agricultural land to domestic use.

19/02/21 FULL/2020/2178 Permit to demolish outbuildings, erect dwelling, alterations to vehicular access and wall and create pedestrian access to nature reserve.

Existing Use(s):

Agricultural Use Class 28

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

OC1	Housing Outside of the Centres
GP1	Landscape Character and Open Land
GP8	Design
GP9	Sustainable Development
GP16(A)	Conversion of Redundant Buildings
GP16(B)	Conversion of Redundant Building: Demolition and Redevelopment

Conclusion/Brief comment:

Approval was granted in 2021 for the demolition of the existing buildings at the site and the construction of a new dwelling, under Policy GP16(B). The current application proposes the following variations to that application:

- Relocate the approved building 5m to north-east and 5m to south-east;
- Create a 2m² extension to the master en-suite, offset by the introduction of a recessed entrance, reducing the floor area by 3m².
- Alterations to fenestration, including addition of rooflights;
- Addition of granite facades to north and south elevations;
- Addition of sedum roofing to flat roof area;
- Alteration of solid hemp lime construction to cavity timber frame;
- Enlarged patio area.

The floor area and volume of the proposed new dwelling resulting from the above variations would remain broadly the same as those of the approved conversion scheme. The variations would move the building further from the adjacent residential properties and, whilst the revised proposal would incorporate additional windows to the north elevation, the increased separation distance, orientation of the adjacent properties and use of the adjoining land would prevent any adverse impacts on those properties. The proposed building would however remain grouped with the development to the north of the site and would be of similar appearance to that previously approved, remaining acceptable in terms of impacts on openness and the character of the area.

The proposal alters the method of construction from hemp lime to timber frame. The use of hemp lime construction formed an integral part of the sustainability enhancements under the previous application, and was a requirement of Condition 12. The alteration of the method of construction would however be balanced by the introduction of a sedum roof and it would therefore be acceptable to vary Condition 12 to omit the use of hemp lime. Full details of the sedum roof should however be provided to ensure it provides appropriate enhancements.

As initially submitted the application also proposed the removal of the solar thermal collectors previously approved, however the installation of those panels also formed an integral part of the application, addressing the requirement for sustainable infrastructure. Following deferral, the proposal has been amended to include the

installation of solar panels, and electric vehicle charging points have been added to further enhance the provision. Overall, therefore the proposal remains a significant enhancement to the sustainable design of the project and in compliance with Policy GP16(B).

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: 13/06/22

