

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: Partial demolition, convert, extend and alter to create a dwelling, change of use of agricultural land to domestic garden, erect garage, install air source heat pumps with acoustic enclosure and infill wall to east boundary.

LOCATION: Land To Rear Of "Welton", Rue Des Annevilles, Vale.

APPLICANT: Mr & Mrs N Ravenscroft

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: 10/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Langlois: 2235/08, 09B & 11A

Application Ref: FULL/2022/1462

Property Ref: C02176A000

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. The development hereby permitted shall be constructed in accordance with the details set out in Paul Langlois Architects' letter dated 07/10/2022, and there shall be no occupation of the dwelling until the air source heat pumps and bicycle store have been installed and made operational.

Reason - In the interests of sustainable development, and to encourage alternative modes of transport to the private car.

5. The landscaping and biodiversity enhancement scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development 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 help assimilate the development into its surroundings, in the interests of residential amenity and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

6. Works shall not commence on the garage building until the residential conversion hereby approved has been implemented and the building is available for occupation, unless otherwise agreed in writing by the Authority.

Reason - The garage building is acceptable only as an ancillary structure associated with the residential conversion. Any construction in advance of the residential conversion would be contrary to policy.

7. Noise associated with the air-source heat pumps, the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - In the interests of the amenities enjoyed by the occupiers of surrounding dwellings.

Expiry Date: This permission will cease to have effect on 09/11/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage 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.

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/2022/1462
Property Ref: C02176A000
Valid date: 04/08/2022
Location: Land To Rear Of "Welton" Rue Des Annevilles Vale Guernsey GY6 8LY
Proposal: Partial demolition, convert, extend and alter to create a dwelling, change of use of agricultural land to domestic garden, erect garage, install air source heat pumps with acoustic enclosure and infill wall to east boundary.
Applicant: Mr & Mrs N Ravenscroft

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.

4. The development hereby permitted shall be constructed in accordance with the details set out in Paul Langlois Architects' letter dated 07/10/2022, and there shall be no occupation of the dwelling until the air source heat pumps and bicycle store have been installed and made operational.

Reason - In the interests of sustainable development, and to encourage alternative modes of transport to the private car.

5. The landscaping and biodiversity enhancement scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development 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 help assimilate the development into its surroundings, in the interests of residential amenity and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

6. Works shall not commence on the garage building until the residential conversion hereby approved has been implemented and the building is available for occupation, unless otherwise agreed in writing by the Authority.

Reason - The garage building is acceptable only as an ancillary structure associated with the residential conversion. Any construction in advance of the residential conversion would be contrary to policy.

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Reason - In the interests of the amenities enjoyed by the occupiers of surrounding dwellings.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage 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.

OFFICER'S REPORT

Site Description:

The application site is located to the north of Rue des Annevilles, set behind the roadside residential property formerly known as Welton, but now known as The Homevin. The site is bounded by residential properties to the south-west, south, east and north, with agricultural land to the west.

The site comprises a former packing shed/horticultural building (partly converted to stables) and pigsties.

The site previously formed part of the ownership with the roadside dwelling, known as The Homevin, and was accessed through that site. The Homevin was sold separately to the application site in 2019 and fencing was erected around the rear garden area of the dwelling. Vehicular access has been formed in the roadside wall to Rue Des Annevilles and hardcore laid to the access driveway.

The site is located Outside of the Centres in the Island Development Plan.

Relevant History:

FULL/2019/1398 - Convert outbuilding to form one dwelling with associated parking. Demolish glasshouse and pigsty and erect detached double garage. Lower roadside wall and create vehicular access (Revised scheme) – granted

Pre-application advice was sought in this case.

Existing Use(s):

28 agriculture

Brief Description of Development:

The application relates to the partial demolition of the building, with the lean-to stables to the northern end of the building demolished and the conversion of the building to a 3 bedroom dwelling (4 bedrooms when including the ground floor snug) with associated two-storey extension to the north of the building. The scheme also proposes to raise the eaves and ridge of the retained buildings, alterations to fenestration and insertion of first floor windows and rooflights.

The scheme also proposes the change of use of the land immediately surrounding the building to domestic use and detached double garage (as previously approved).

A letter from the planning agent sets out that the north and east elevations of the stable block are to be replaced because they are poorly constructed. The letter states that the scheme complies with Policy GP16(B) with the first floor extended

over the demolished stable block to create an additional 30 square metres of internal floor area (12%) increase and a volume increase of 92 cubic metres, a 15% increase. The pig sties are to be retained and renovated whereas they were previously shown to be removed and work has commenced on the site access in accordance with the previously approved scheme.

A statement has been provided by CBL Consulting Chartered Structural & Civil Engineers dated July 2022. This sets out that the southern part of the building is a stone-built cottage style structure with a two-storey blockwork workshop to the centre providing a link to the stables to the north. The walls of the stables are constructed in 140mm solid blockwork, the walls of the workshop in 215mm blockwork and cottage of 500mm stone. A visual inspection was carried out by CBL in 2019 at which time the existing structure was confirmed to be capable of conversion. The differing feature with the current application is the proposed partial demolition and redevelopment of the stable block with a two-storey lightweight timber framed construction with associated internal links. The foundations are considered to be adequate for the proposed redevelopment and should not require enhancement.

The information from CBL also addresses matters of sustainability and embodied carbon setting out that the existing first floor gable and stable walls are thermally poor and that their replacement would create a more thermally efficient structure without impacting the existing substructure. Using structural timber would utilise whole life carbon benefits compared to the carbon footprint of a blockwork construction extension due to high cement content and increased transportation weights along with loads on foundations and other structural elements.

Under GP16(B), CBL set out, it is possible to apply to undertake a complete demolition and redevelopment scheme however from a sustainability perspective it is favourable to avoid new construction through re-use and enhancement of existing structures such as is proposed on this site.

The application was deferred in order to seek further information regarding sustainable development and the scheme was amended with solar panels omitted and the provision of air source heat pumps, to be situated behind the disused pigsty. The accompanying letter also highlights the content of the CBL report relating to the reuse of the existing structure, high levels of insulation, high specification windows, air tightness credentials, solar gain from large areas of glazing, rainwater recycling and the provision of refuse/recycling and cycle storage.

The application was also deferred in order to ensure that the Strategy for Nature SPG was satisfactorily addressed in relation to the change of use of agricultural land to domestic garden associated with the new dwelling. The revised plans make reference to boundary hedge planting, compost bins, vegetable patch, pond, pollinator patch, bird and bat boxes, a bug hotel and the retention of a tree previously shown to be removed.

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

Island Development Plan policies:

OC1	Housing Outside of the Centres
OC5(B)	Agriculture Outside of the Centres – Outside of the Agriculture Priority Areas
OC7	Redundant Glasshouse Sites
GP1	Landscape character and open land
GP8	Design
GP9	Sustainable Development
GP13	Householder Development
GP15	Creation and extension of curtilage
GP16(A)	Conversion of redundant buildings
GP16(B)	Conversion of Redundant Buildings - Demolition and Redevelopment
IP6	Transport Infrastructure and Support Facilities
IP7	Private and Communal Car Parking
IP9	Highway Safety, Accessibility and Capacity

Representations:

None.

Consultations:

Office of Environmental Health and Pollution Regulation - have carried out a distance calculation and believe that the air source heat pumps are unlikely to have any adverse impact on the surrounding area. A planning condition is recommended to ensure the pumps do not have an adverse impact.

Summary of Issues:

The key issues in this case relate to the principle of the proposed partial demolition works, erection of an extension along with the design and appearance of the development and its effect on the character and appearance of the locality and on residential amenity.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Planning permission has previously been granted for the conversion of a redundant building on the site and Policies OC1, OC5(B) and GP16(A) have thus been satisfied and the scheme must now be considered with regard to Policy GP16(B) and other relevant policies of the Island Development Plan.

Policy GP16(B) sets out that the demolition and redevelopment of a building that accords with the requirements of the conversion of redundant buildings policy may be acceptable without the need to implement the permission for conversion by physically carrying out the development. There are specific criteria that must be addressed:

a) the conversion scheme has first been granted planning permission

Planning permission was granted for the redevelopment of the existing buildings under planning reference FULL/2019/1398 therefore Policy GP16(B) criterion a) has been addressed in this case.

b) the redeveloped scheme is of broadly the same floor space and volume as the approved conversion scheme and, in the case of development for residential purposes, the number of units approved in the conversion scheme is not exceeded

The 2019 planning application related to the formation of a single unit of residential accommodation (three bedrooms and a ground floor study) with a detached garage and area behind the garage indicated as being used for cycle and refuse storage. The scheme did not include precise details of this storage area (height and external appearance) but the floor area shown for this was 3.72 square metres and the current scheme also proposes a single dwelling (three bedrooms and a ground floor snug) with an attached refuse and cycle storage area and a detached garage in accordance with criterion b).

The submission sets out that the floor space would increase by 12% and the volume by 15%.

In relation to the floor area of the current scheme, the increase from the approved conversion scheme is calculated to be 15%. The volume of the building would increase by the extent of the first floor extension, including bay and is also calculated to increase over the conversion scheme by 15%. Both remain within acceptable limits in line with the aims of criterion b) of Policy GP16(B) of the Plan.

c) where the existing building makes a particular positive contribution to the character of an area the replacement building would make an equal or enhanced contribution to the character of that area

The existing building is not highly visible from outside the site and does not make a particular positive contribution to the character of the area. In this case however,

the majority of the building is to be retained and Policy GP16(B) criterion c) is satisfied.

d) *it can be demonstrated that the new building can be constructed in such a way as to significantly enhance its sustainable design*

The application has been supported by information from CBL as to how retaining an existing building is more sustainable than demolishing and constructing a new building. The application also sets out that demolished materials will be reused “where possible” but does not specify where. The existing building (floors, roofs and walls) is to be insulated internally with high specification windows and doors installed which also provide good natural light and ventilation. In relation to the Building Regulations the airtightness is explained to be designed to comply, rainwater harvesting is proposed via a redundant cesspit for use in the garden and both cycle and refuse storage is shown to be provided in an extension to the east elevation.

The package of measures proposed demonstrates that the scheme complies with GP16(B) criterion d. and GP9 criterion b. of the IDP in relation to how the scheme would *significantly* enhance sustainable design and the matter can be managed by planning condition.

Consideration to the impact of the development on the character or openness of the area is assessed below in relation to criterion e).

e) *it can be demonstrated that the new building can be constructed in such a way as to not have any unacceptable adverse impacts on the landscape character or openness of an area*

The conversion scheme considered under Policy GP16(A) included the same extent of curtilage as is now proposed. There is no change as part of this redevelopment scheme. The impact of the development on the landscape character is assessed elsewhere in this report and is therefore also satisfied in relation to Policy GP15. Policy GP1 is also relevant in relation to the impact on open and undeveloped land.

Whilst there is open land surrounding the site, the building itself would be located adjacent to the south and west site boundaries, well related to the established dwellings fronting Rue des Annevilles. There are limited views of the site and on the whole the existing building would be retained. The proposed extension to the north of the building would not impact on openness in those views. As amended, the scheme includes a landscaping plan incorporating hedge planting to the east boundary and around the south site boundary with The Homevin to help assimilate the development to its surroundings. This matter can, as was the case previously, be managed by planning condition.

A landscaping condition to address site boundaries may also address matters relating to biodiversity because, although the site is not situated in an Area of Biodiversity

Importance (GP15 criterion b.) in line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary Planning Guidance, an application involving the change of use of agricultural land to domestic garden must demonstrate environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted.

The Island Development Plan sets out that a development should have "no increased impact" on the character or openness of an area. The siting of the dwelling and extension, adjacent to the west boundary will maintain the openness of the area. The location of the dwelling also ensures that it does not appear entirely isolated from existing built development in the vicinity.

The proposed development would not have an adverse impact on the openness of the area and complies with Policy GP16(B) criterion e).

- f) *it can be demonstrated that the new building can be constructed in such a way as to not have any increased impacts on the amenities or reasonable enjoyment of occupiers of neighbouring properties and the surrounding area*

This matter is considered in more detail below with regard to Policy GP8 of the Island Development Plan. Policy GP8 supports development that achieves good design that respects the local character but demonstrates an effective and efficient use of land and uses soft and hard landscape where appropriate to help mitigate and/or assimilate a scheme within its setting. The policy recognises the importance of development of a residential nature to allow for flexibility and adaption to suit needs whilst also assuring that proposals have addressed the health and well-being of the future occupiers and neighbours.

As outlined above, the siting of the building will not result in harm to the openness and character of the area. The proposed dwelling does represent a good standard of architectural design that respects the local built environment as set out in more detail above. The scheme accords with Policy GP8 criteria a) and c) of the Island Development Plan.

The formation of two-storey accommodation within the building and the erection of a two-storey extension to replace the existing single-storey stable lean-to represents multi-storey development and efficient and effective use of land in line with the aims of Policy GP8.

The siting and layout of the dwelling is such that it will not result in overshadowing, loss of sunlight/daylight or unacceptable overlooking of any adjoining dwelling. The proposed air source heat pump will not have an adverse impact on residential amenity. The scheme therefore satisfactorily considers the health and well-being of neighbours of the development in line with the aims of Policies GP8 and GP9 of the Plan.

The external space provided to serve the dwelling would be satisfactory and offer an attractive outlook from the dwelling. Overall, the proposed dwelling would provide an adequate living environment, in accordance with Policy GP8(d) and Annex I: Amenities having regard to the health and well-being of occupiers of the development with regard to sunlight/daylight and amenity space.

The ground floor accommodation is on a single level, without stepped access with open plan living and a snug that could be utilised as an accessible bedroom if required. Although the upper floor is accessed via a staircase there may be scope to install a stair lift to aid access to this accommodation. Overall, the scheme demonstrates accessibility to and within the building for people of all ages and abilities, offering flexible and adaptable accommodation that can respond to people's needs over time.

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively. The scheme proposes adequate off-road parking to serve the development along with on-site turning to enable vehicles to turn and exit the site in a forward gear. No alterations are proposed to the previously approved access which was considered to comply with the IDP.

The application has not been accompanied by a Waste Management Plan but the scheme does not see the demolition of the entire building and one is therefore not necessary in this case.

Bicycle storage is provided in line with Policy IP6.

Turning to the change of use of agricultural land to domestic garden, the area of land proposed for garden has not altered from the approved conversion scheme and was considered to meet the aims of Policy GP15. There has been no change in the submission nor the policies against which the proposal must be considered and therefore the conclusion regarding the use of land remains unchanged. As amended the scheme satisfactorily addresses the requirements of the Strategy for Nature and the implementation of the information shown on the application drawings can be controlled by planning condition.

Conclusion

In view of the above it is recommended planning permission is granted for the development subject to conditions.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality;

any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 08 November 2022

