

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: Convert outbuilding/Nissen hut to a residential dwelling with associated landscaping and parking.

LOCATION: Granada, Le Gele Road, Castel.

APPLICANT: Mrs G Davies

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: 13/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chescoe Chartered Surveyors: 1998-03 (date stamped 01/11/2022), 1998-00 (date stamped 08/06/2023), 1998-09 (date stamped 08/06/2023) & Auburn Gardens Landscape Design Proposal (date stamped 08/06/2023).

Application Ref: FULL/2022/2149

Property Ref: D004600000

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 landscaping scheme shall be fully completed, in accordance with the approved plan (ref: 1998-09) and details contained within the Auburn Gardens Landscape Design Proposal document (date stamped 08/06/2023) within the first planting season following completion of the development, or prior to its first occupation (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, to help assimilate the development into its surroundings and to ensure that the scheme provides biodiversity enhancements in accordance with the Strategy for Nature SPG.

5.No cladding/horizontal boarding (however named) shall be brought to the site until such time as details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

6.No development shall begin on site until precise details of all hard surfaced areas have been submitted to and agreed in writing by the Authority. The details provided must ensure that all hard surfaced areas are permeable and the works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and to ensure that the scheme follows sustainable design principles in accordance with Policies GP8 and GP9.

7. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence, wall or other means of enclosure (other than any hereby expressly permitted) shall be erected, constructed or placed on any part of the site.

Reason - In view of the sensitive nature of the site, the erection of such structures as 'exempt development' may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered.

Expiry Date: This permission will cease to have effect on 12/06/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

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/2022/2149
Property Ref: D004600000
Valid date: 07/12/2022
Location: Granada Le Gele Road Castel Guernsey
Proposal: Convert outbuilding/Nissen hut to a residential dwelling with associated landscaping and parking.

Applicant: Mrs G Davies

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 landscaping scheme shall be fully completed, in accordance with the approved plan (ref: 1998-09) and details contained within the Auburn Gardens

Landscape Design Proposal document (date stamped 08/06/2023) within the first planting season following completion of the development, or prior to its first occupation (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, to help assimilate the development into its surroundings and to ensure that the scheme provides biodiversity enhancements in accordance with the Strategy for Nature SPG.

5. No cladding/horizontal boarding (however named) shall be brought to the site until such time as details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

6. No development shall begin on site until precise details of all hard surfaced areas have been submitted to and agreed in writing by the Authority. The details provided must ensure that all hard surfaced areas are permeable and the works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and to ensure that the scheme follows sustainable design principles in accordance with Policies GP8 and GP9.

7. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence, wall or other means of enclosure (other than any hereby expressly permitted) shall be erected, constructed or placed on any part of the site.

Reason - In view of the sensitive nature of the site, the erection of such structures as 'exempt development' may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered.

INFORMATIVES

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

OFFICER'S REPORT

Site Description:

The application site comprises a detached former Nissen Hut situated to the north of Pre du Gele. Although not within the recognised domestic curtilage for the property, the site forms part of the land associated with the property known as "Grenada" situated to the northwest.

Surrounding the site, the area comprises open fields to the north and east, with glasshouses to the south and residential properties to the west.

The site is situated Outside of the Centres as designated in the Island Development Plan. Although not situated within, the land borders land designated as a Site of Special Significance to the east and land designated as an Area of Biological Importance to the north.

Relevant History:

The application has been the subject of a pre-application submission. No planning applications have been submitted that relate to the building the subject of this application.

Existing Use(s):

Former Nissen Hut

Brief Description of Development:

Planning permission is sought to convert the existing outbuilding/Nissen hut to a residential dwelling with associated landscaping and parking.

The application includes the installation of two small dormer windows in the west facing elevation of the building and external alterations in the form of replacement windows and doors and the brickwork on each gable will be overclad in tongue and groove horizontal cladding.

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

Island Development Plan Policies:

- OC1: Housing Outside of the Centres;
- GP1: Landscape Character and Open Land;
- GP8: Design;
- GP9: Sustainable development;
- GP15: Creation and Extension of Curtilage;
- GP16(a): Conversion of Redundant Buildings;
- IP9: Highway Safety, Accessibility and Capacity;

Representations:

Two letters of representation have been received from the occupier of a neighbouring property. The grounds for objection are summarised as follows:

- The watercourse belongs to the adjacent property “the Meadows”, and permission has not been sought to break a hole through the wall into the watercourse or to use the said watercourse;
- No analysis or review has been undertaken regarding the current flows to this watercourse, which would need to be improved to support the extra flow;
- If the use of the watercourse is required, then the owner of the adjacent property would be happy to discuss ways forward with the applicant, but in the current form objections are made;
- The application states that a cess pit for foul drainage collection and disposal will be created. This is very important. There is a sewage drain along the Pre du Gele however this is privately owned and maintained by the property at the end of the lane Beach House.
- It will not be possible to add additional connections as it was not designed for further capacity. So the cesspit is the only option for this property.

Consultations:

Guernsey water by email dated 12th January 2023 stated the following:

“We have received a response for a neighbouring property regarding this application. Our view is that the watercourse does not belong to the applicant so had they approached us to discharge the surface water into the watercourse, as stated in the planning application we would have refused permission as we cannot give permission to discharge surface water onto someone else’s private land. There is adequate land to discharge to a soakaway type drainage on the applicants’ land in our opinion.”

Summary of Issues:

The main issues in deciding this application are:

1. whether the principle of conversion is acceptable;
2. the impact of the development on the character and appearance of the surrounding area;
3. the impact of the development on the amenity of people living in the area
4. parking and access issues,

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues set out in 2 below.

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

The Spatial Policy of the Island Development Plan, expressed through Policy S1 (Spatial Policy), is to, *“concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas to maintain the vitality of these areas...and to allow for development Outside of the Centres in identified specific circumstances, in accordance with the Strategic Land Use Plan.”*

This approach is reinforced through Policy S4 (Outside of the Centres) and the introduction to Part 3 of the Plan *Policies for Outside of the Centres* which, whilst acknowledging that the Plan makes provision for certain types of development Outside of the Centres, states that proposals for new housing will not generally be supported Outside of the Centres.

Policy OC1 (Housing Outside of the Centres) sets out potential exceptions to this direction, stating that the creation of new dwellings Outside of the Centres will only be supported where it is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building, and directs proposals for conversion of redundant buildings to be considered principally under Policy GP16(A) (Conversion of Redundant Buildings).

The proposal is addressed against the criteria (shown in bold text) of Policy GP16(A) below.

a. it is demonstrated that the building is no longer required or capable of being used for its current or last known purpose;

The building the subject of this application is a former Nissen hut. The Nissen hut whilst not traditional in terms of Guernsey vernacular type construction, is a well-established principle of building first developed during the first world war, but commonly used during the second world war. Reference to historic mapping of the area indicates that the unit was not present in 1938 but appears on the 1963 mapping. This suggests that the building was constructed either during or shortly after the second world war.

At the time of the officer site visit it was apparent that the building has long been rendered redundant for its intended use as military accommodation and that the building appears to be used for general ad hoc storage. Whilst the building is no longer required for its last known purpose it has, to a degree, been subsumed into the residential use of the site for storage, although this has never been authorised and the building is also outside of the recognised domestic curtilage for the property. It is considered however that for the purpose of planning policy the building is no longer required or capable of being used for its last known purpose as a Nissen Hut for military purpose. Criterion (a) has therefore been satisfied in this case.

- b. the conversion will result in the establishment of either residential, social and community, industrial, storage and distribution, convenience retail in coastal locations in accordance with Policy OC4, visitor accommodation or office use or provide facilities for outdoor formal recreation or informal leisure and recreation uses.**

The application relates to the provision of a single unit of residential accommodation comprising an open plan living and kitchen area, with a bathroom and bedroom all at ground floor level. The residential use proposed accords with criterion (b) of policy GP16(A).

- c. the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding**

Following the approach taken by the Planning Tribunal in relation to an appeal for a similar scheme (Ref: PAP/008/2019) this criterion will be assessed in two parts. Firstly, whether the building is of sound and substantial construction (in relation to the use originally intended), and secondly, an assessment as to whether the building is capable of conversion without extensive alteration or rebuilding.

As part of the application a structural report together with survey and cross section drawings have been submitted. The conclusions set out in that report, together with observations made during site visits undertaken by the Planning Service, have identified that this building appears to be in generally good condition and is of sound and substantial construction suitable for its originally intended use as a Nissen Hut.

The preceding text of Policy GP16(A) sets out clearly in paragraphs 19.17.3, 19.17.6 and 19.17.7 that the scale and nature of the works proposed in each case will be considered by the Authority. The proposed use influences the nature and scale of works that may be required to reuse the building. This was envisaged in the IDP policy framework when considering the opportunities to re-use buildings and bring forward development Outside of the Centres in ways that would not undermine the spatial strategy (paragraph 19.7.2) i.e. some buildings may require little alteration to be suitable to be reused for industry or storage, whilst the same building may require much more significant works to be converted into one of the other uses acceptable under the policy (such as residential).

In deciding the appeal (referred to above), the Tribunal considered it appropriate when assessing whether a building is capable of conversion without extensive alteration or rebuilding to distinguish between three distinct categories of building work that seem to have different underlying purposes. That approach has been followed in this case, with the following assessment based on the information provided on the application drawings, within the structural report and supporting information

- (i) works of structural repair, upgrading and renewal that may be necessary to render the building safe and structurally capable of accommodating the proposed new use;

The report identifies the construction techniques for this type of building and confirms that the unit has frames at 2m centres and sheeting in two layers. In this case the outer sheet is the structural member comprising of galvanised sheets with a 600mm lap with three sheets forming the ring. This is attached to a plate comprising 100mm x 50mm timbers which are bolted down to the foundations. Trial pits have been dug which confirm that the depth of foundation is approximately 500mm deep below ground level exceeding current minimal standards of 450mm. The floor slab has been drill cored and is of 150mm thickness which is typical of a modern floor slab and better than what might be expected for a building of this construction type and age. The gable ends of the building are formed in brick which increase the structural integrity of the building.

During the site visit it was identified that there is an inner leaf comprising galvanised steel which has been applied to this structure that is generally in a good state of repair but is showing signs of corrosion in places. The structural report also identifies this but confirms that the inner leaf does not have any structural integrity to the building and was used for sound and insulation purposes.

The report confirms that the structure and profile of the building is inherently stiff and strong, and in terms of external loading it is more than capable of sustaining lateral wind load and vertical dead and imposed loads the subject of this conversion.

The report confirms that two dormer windows are proposed to be installed in the west elevation to provide additional headroom and outlook for the kitchen and living area, but other than that the only external alterations will comprise the painting of the corrugated roof sheeting with oxide spray paint and new horizontal boarding to overclad the brick walls on each gable. Replacement timber windows and a replacement door are also proposed in existing apertures.

The cladding and the replacement windows are proposed for aesthetic purposes only and are not required to improve the structural integrity of the building or to make the conversion possible.

These works to the existing fabric of the buildings are considered to be relatively minor in terms of scale and extent, and therefore for the purposes of criterion (c) to Policy GP16(A) are not extensive.

- (ii) works intended to bring the main fabric of the building up to current constructional standards to satisfy building regulations;

The application details clarify that the ground slab will be retained as the structural slab, with damp proofing, insulation and floor coverings applied. The report confirms that the existing floor will allow for screed and insulation to be installed over the top,

without compromising building layout or required ceiling heights and confirms that the existing foundations safely sustain the existing and proposed increase in load.

The gable walls and the galvanised steel roof structure and framing are to be retained with an internal lining of damp proofing and insulation applied. The report confirms that the structure can sustain any additional loads applied. No upgrade to the structure of the building is therefore required.

With regard to the thermal insulation of floors, walls and ceilings as proposed, and in light of the above referenced appeal decision, it is recognised that works necessary to bring existing building fabric up to current Building Regulation standards in terms of freedom from damp and thermal and sound insulation are known to be a common feature of schemes involving the conversion of buildings into alternative uses, and therefore such works are considered to be neutral in terms of their impact on the objectives of Policy GP16(A) of the IDP.

- (iii) works of internal and external alteration, renewal and fitting out that are specifically designed to facilitate the requirements of the new use (e.g. insertion of new windows and roof lights).

The application drawings show that two new dormer windows are proposed to be installed. However, these are not required to make the space useable for the proposed use as windows already exist in the gables of the building that will provide sufficient outlook and means of escape for the bedroom and living areas. The dormers are minimal in terms of their size and are only required for additional outlook to improve the living accommodation, they could be removed from the scheme if required and the proposal would still provide a good standard of accommodation for future occupiers.

All existing windows are to be replaced with modern alternatives formed within the existing openings. Internal works to subdivide and fit out the interiors of the building are also proposed.

Regarding the replacement of the existing windows, the internal alterations proposed (which includes the construction of partitions to create new room arrangements, and the provision of new services and fittings), are all representative of the types of alterations that are generally required for the conversion of buildings into alternative uses and are therefore considered to be neutral for the purpose of GP16(A).

Based on all of the above, the application is considered to comply with criterion (c) of Policy GP16(A).

- d. the proposals would have no adverse impacts on the special interest of a protected building and that such interest is appropriately and proportionately preserved and, where possible, enhanced**

The building the subject of this application is not protected and there are no protected buildings near to the site. The proposal would therefore not have an impact on any Protected Buildings.

e. the proposals would have no unacceptable impacts on the contribution a building of character makes to the character and appearance of the area

The subject building is not considered to be of either architectural or historic interest. The building does not make a positive contribution to the character and appearance of the area. On this basis it is concluded that Policy GP16(A)e) would not be relevant in this case.

f. the conversion and any ancillary development associated with it can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape

The creation of curtilage associated with the conversion would also fall to be considered under Policies OC5(B) (Agriculture Outside of the Centres), and GP15 (Creation and extension of curtilage). In addition, Policy GP1 is relevant in relation to the impact on open and undeveloped land.

Those policies support the principle of a change of use provided that a number of detailed policy criteria are met, and those criteria are addressed below.

The residential curtilage proposed to be created has been kept to a minimum to a level proportionate with the size of the building that will also enable sufficient private amenity space for the future occupiers of the scheme. The curtilage would not encroach onto the ABI and SSS land that surrounds the site.

To the front and rear of the building the hardstanding areas that remain at present will be retained to form a terrace for the occupiers. A bin store has also been shown to the front of the property in a position similar to that at the neighbouring property to the south. Planting areas will occupy a good proportion of the land to the south of the building that will help to assimilate the scheme into the surrounding area. The driveway and associated car parking area has also been kept to a minimum and will be either gravelled or paved. Both materials would be acceptable provided that they are permeable (controlled by condition).

As part of the initial planning application, the application drawings referred to the proposed planting areas, and the perimeter hedging and stated that these will be planted subject to *“a landscaping scheme to follow pending planning approval.”* However, the States has adopted the Strategy for Nature SPG and to ensure that environmental benefits in respect of biodiversity are introduced in line with the SPG, the application was deferred to seek further details. A landscaping scheme has been submitted confirming the type and density of planting proposed, together with a corresponding drawing to illustrate locations. The landscaping scheme also confirms the future management of the site to ensure that biodiversity enhancement is

maintained longer term. The landscaping scheme is acceptable and accords with the aims and provisions of the SPG.

The IDP recognises there is a balance between protecting open and agricultural land and other legitimate uses Outside of the Centres. The designation of the Agriculture Priority Area (APA) represents the Island's most valuable agricultural area. Although the proposal will result in the loss of agricultural land, in this instance, given that the land is outside of the APA, the balance would not be towards protecting this land for agricultural purposes.

Furthermore, the proposed residential curtilage is relatively limited in extent and the land surrounding the residential unit will remain open. A timber post and rail fence is proposed to enclose the extent of residential curtilage and to safeguard the openness of the surrounding area it is recommended that a condition is included on any permission to remove Exemption rights for the erection of any boundary walls, fences and enclosures. Given the limited extent of curtilage it is not considered necessary to remove exemption rights for outbuildings or extensions.

Overall, it is considered that provided that the landscaping scheme is implemented in accordance with the submitted details (controlled by condition) any negative impacts on the character and appearance and landscape character of the surrounding area would not be so substantial to warrant the refusal of planning permission. It is considered therefore that for the above reasons the revised scheme accords with criterion (f) of Policy GP16(A) and Policy GP1,

g. the conversion would not require more than a modest extension to the existing building for it to be achieved;

The proposal includes the provision of two dormer windows. These are limited in terms of the floorspace that they will create and are proposed to provide additional light and outlook into the kitchen and living area. They are not required for the scheme to be achieved. The scheme therefore complies with criterion (g) of Policy GP16(A).

h. the proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area.

Policy GP8: Design also addresses issues relating to the amenities of surrounding residents and the character and appearance of the locality.

The building is surrounded by fields to the north and east with an industrial building to the south. A residential property is situated to the west. Views from the main windows in the gable of the premises will not harm residential amenity. Although views from the proposed dormers will be towards a patio area for the adjacent property (Meadows), they will be situated circa 10m from the boundary. Furthermore, the nature of the patio area for the neighbouring property is relatively open with only a small 900mm boundary wall as screening from the roadside. Any

additional overlooking resulting from the proposal would therefore not be so substantial to warrant the refusal of permission.

Representations have been received relating to surface water drainage, and the legal rights to drain onto land not within the applicant's ownership. These are not material planning considerations, and the grant of planning permission would not allow drainage onto land not into the applicant's ownership. It is suggested that an informative is included to this effect. All drainage issues will be considered during the consideration of a building regulation application.

It is considered that for these reasons, the proposal complies with criterion (h) of GP16(A) and Policy GP8 in this respect.

Parking and access issues.

The building will be accessed from an existing access point into the site from Pre du Gele to the south. An area of hardstanding is proposed immediately to the west of the building which will accommodate two car parking spaces and a turning facility, to allow vehicles to access and leave the site forward facing.

Given the limited size of the unit it is not anticipated that associated vehicle movements would cause considerable harm to the amenities of the surrounding area or on the surrounding highway network. This proposal would therefore not result in any harm to highway safety.

For the above reasons it is considered that the proposal complies with Policy IP9 of the IDP.

Other matters

Residential amenity

The design and layout of the scheme works well with the existing form and fabric of the building. All rooms will have sufficient natural light provided to them and sufficient ventilation. The size of the rooms complies with the relevant Building Regulation Standards. There is parking for two cars, and space exists to the rear of the site to provide a bicycle shelter or similar in accordance with the relevant planning policies.

The size and quality of the outdoor space would be good and there would be an attractive outlook from the building. Overall, the proposed dwelling could provide an adequate living environment, in accordance with Policy GP8(d) and Annex I: Amenities.

Sustainability, accessibility and adaptability

In terms of accessibility to and within the building and the provision of flexible accommodation, the submitted information details level access and good circulation, with the accommodation provided over a single level making the building and accommodation accessible by all.

Confirmation has also been received that the proposed development has been designed to consider matters of energy efficiency and current Building Regulations in accordance with Policy GP9. In the absence of further guidance in relation to this policy, the submitted information is considered adequate.

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; the effect of the proposed which the site could be put without further planning permission; 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: 12/06/2023