

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: Variation to previously approved plans to demolish existing buildings and erect 5 dwellings with associated parking and landscaping - reconfigure, alter materials and fenestration and alter boundaries to unit B1 & B2. Omit Juliet balcony, alteration to materials and fenestration to Units A1, A2 & A3 and alterations to passing point.

LOCATION: Les Yvelins, Rue De Quanteraine, St. Pierre Du Bois.

APPLICANT: Mr L Abbott & Mr T Holland

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: 03/02/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM: 1105_3A, 05A, 7A, 9A, 11A, 13A, 15A, 17A, 19A, 21A, 23A, 25A, 27A, 29A, 31A, 34A

Application Ref: FULL/2022/2167

Property Ref: F00602A000

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 23/08/2024.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/1092.

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 24 August 2021, issued under planning application reference FULL/2021/1092, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 23/08/2024 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/2022/2167
Property Ref: F00602A000
Valid date: 22/11/2022
Location: Les Yvelins Rue De Quanteraine St. Pierre Du Bois Guernsey
GY7 9DQ
Proposal: Variation to previously approved plans to demolish existing buildings and erect 5 dwellings with associated parking and landscaping - reconfigure, alter materials and fenestration and alter boundaries to unit B1 & B2. Omit Juliet balcony, alteration to materials and fenestration to Units A1, A2 & A3 and alterations to passing point.

Applicant: Mr L Abbott & Mr T Holland

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 on or before 23/08/2024.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/1092.

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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 24 August 2021, issued under planning application reference FULL/2021/1092, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The application site is located to the north of Route Des Sages and to the rear of a residential property known as 'Le Grai' and access is from Rue de Quanteraine. The site is located Outside of the Centres and within an Agriculture Priority Area (APA) as designated under the Island Development Plan (IDP).

The site previously comprised a complex of former agricultural buildings and an area of hardstanding, however these have now been demolished as part of site clearance works associated with the approved application FULL/2021/1092 which allowed the demolition of existing buildings and erection of five dwellings with associated parking and landscaping.

The neighbouring 'Le Grai' is a Protected Building, although the application site does not contribute to or form part of the setting of the protected building in any materially significant way.

Relevant History:

FULL/2021/1092- Demolition of existing buildings and erection of five dwellings with associated parking and landscaping

FULL/2020/0552- Convert agricultural units into five dwellings with associated parking and landscaping.

Existing Use(s):

Use Class 28 – Agriculture

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

OC1 - Housing Outside of the Centres

GP1 - Landscape Character and Open Land

GP5 - Protected Buildings

GP8 - Design

GP9 - Sustainable Development

GP15 - Creation and Extension of Curtilage

GP16(B) - Conversion of Redundant Buildings – Demolition and Redevelopment

GP17 - Public Safety and Hazardous Development

IP6 - Transport Infrastructure and Support Facilities

IP7 - Private and Communal Car Parking

IP9 - Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The alterations proposed as amendments to the original scheme are as follows:

- Revised materials- these previously included cedar cladding and screening and have been replaced with larch cladding and screening, with the areas of rustic light brick now replaced with stone cladding or lime render.
- Alterations to fenestration- these include small changes to the design of windows with some previously proposed full-length windows/Juliette balconies now replaced with windows of sill height of approx. 1m to match others. Other changes include small changes in the position of ground floor and first floor windows, some have been removed and others repositioned. There are no significant changes involving new windows to elevations which were previously blank.
- Alteration of the boundary between Units B1 and B2.
- Alterations to the passing point – reducing the width of the landscaping buffer by approx. 1m to the western corner of the southern boundary in order to introduce a wider section of carriageway in order to allow for a passing place adjacent to the site entrance.
- Design changes to B1 and B2 which result in a larger form of development than was previously approved. Units B1 and B2 have been reordered internally and were previously 8m x 17m and are now 10m x 17m (change at ground floor level only)

The alterations to the materials are considered acceptable, retaining the natural slate roof and use of stone cladding/render is traditional and will not appear out of character in the rural area.

The alterations to the windows have been considered in turn, and none of the changes proposed would result in a material change in the degree of overlooking which has previously been considered acceptable.

The proposed alterations to the boundary between Units B1 and B2 is acceptable and the increased width of these units at ground floor is considered appropriate in design and amenity terms given the width of the plots proposed and the separation distance between the dwellings and their neighbours which will remain sufficient to ensure a reasonable standard of amenity.

The increased size of Units B1 and B2 must also be assessed against Policy GP16(B). The original buildings which had consent for conversion under FULL/2020/0552 noted a total volume of buildings of 4790.47m³ and the assessment for the later application for demolition and rebuild, FULL/2021/1092, to which this is a variation, noted that the proposed development would have a floor space and volume which was substantially less than the conversion scheme and complied with the criteria of GP16(B). The increase of 80m³ now proposed (by the increase in size of Units 1 and 2) would be small-scale and the overall scale of the proposed scheme would remain substantially less than the conversion scheme in terms of volume and floor area and ensures continued compliance with Policy GP16(B).

Alterations to create the passing point retain an adequate landscaping strip along the southern boundary of the site to allow for meaningful planting to establish.

On the above basis, it is considered that the application conforms to the objectives of the relevant IDP policies and therefore is acceptable under all policies. No harm to the Protected Building at Le Graais, or its setting is anticipated.

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: 17/01/2023

