

**THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005**  
**AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)**  
**ORDINANCE, 2007**

## **NOTIFICATION OF GRANT OF PLANNING PERMISSION**

**PROPOSALS:** Demolish existing dwelling and outbuilding, erect replacement dwelling and 1.5 storey detached garage/outbuilding, alter vehicle access and associated landscaping and parking.

**LOCATION:** Quarry Cottage, L'Ecluse, St. Andrew.

**APPLICANT:** Mr & Mrs D Barnett

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:** 20/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Mark Frampton & Co - 2022 / 623 / 02 & / 03.

**Application Ref:** FULL/2022/2178

**Property Ref:** K002910000

**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 details as shown in Plan 2022/623/03, 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 planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

5.The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

6.Within four weeks of the revised access being brought into use, the new wall hereby approved to the western boundary shall be constructed in accordance with

the approved plans with the ends of the opening finished off using materials and a method of construction which match the remainder of the wall.

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

**Expiry Date: This permission will cease to have effect on 19/01/2026 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](http://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](mailto: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/2022/2178  
**Property Ref:** K002910000  
**Valid date:** 23/11/2022  
**Location:** Quarry Cottage L'Ecluse St. Andrew Guernsey GY6 8UW  
**Proposal:** Demolish existing dwelling and outbuilding, erect replacement dwelling and 1.5 storey detached garage/outbuilding, alter vehicle access and associated landscaping and parking.  
  
**Applicant:** Mr & Mrs D Barnett

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

The application site is a long narrow plot which is bounded by a rock face and steep bank to the east and enclosed by a combination of hedges, low granite wall and earthbank along the western boundary and L'Ecluse road to the west. The northern end of the site is elevated approx. 1.2m above the adjacent road.

The site is located Outside the Centre and within the Agricultural Priority Area as designated by the Island Development Plan (IDP).

**Relevant History:**

PREA/2022/1808 – Advice sought on extensions to existing dwelling or demolition and rebuild of dwelling.

PREA/2018/1357 – Advice sought in relation to demolition and replacement of dwelling.

**Existing Use(s):**

01 Residential Dwellinghouse

**Assessment:** *(Tick as appropriate)*

|                     |                                     |
|---------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |

|                              |                                     |
|------------------------------|-------------------------------------|
| visual amenity acceptable    | <input checked="" type="checkbox"/> |
| no material neighbour impact | <input checked="" type="checkbox"/> |
| traffic not affected         | <input checked="" type="checkbox"/> |

**Policies considered most relevant:**

GP1 - Landscape Character and Open Land

GP8 – Design

GP9 – Sustainable Design

GP13 – Householder Development

**Conclusion/Brief comment:**

The existing traditional dwelling makes a positive contribution to the rural character of the area, however as the proposed replacement development makes an equal or enhanced contribution to the character of the area due to the appropriate scale, traditional design to the frontage and use of suitable materials, Policy GP13 would support the demolition and rebuild of the dwelling. The contemporary elements of the dwelling are to the rear, subservient and will not have a harmful impact on the character of the area. The revised position is considered appropriate given the constraints of the site arising from the steep rockface to the eastern boundary and requirement to move the dwelling away from the rockface due to the ongoing deterioration of the bank.

The detached garage is located roughly in the position of the existing dwelling. The timber framed garage proposed is large and a separate area of garden is located to the rear of the garage. Approximately 6.5m of the existing earthbank along the northwestern side boundary will be removed and replaced with a low granite wall. A further 16m section of earthbank will be reduced in width by approx. 1m at the section adjacent to the dwelling and two trees will also be removed. These works are considered appropriate and will retain the earthbank to the exterior and will therefore not harm the rural character of the road. Other existing boundary

treatments are to be retained and the proposed replanting of five trees will assist in enhancing the landscape and reduce the visual impact of the garage.

The application is accompanied by a Waste Management Plan and necessary information to demonstrate the sustainable design of the replacement dwelling (Policy GP9: Sustainable Design).

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