

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 part of existing dwelling, erect replacement dwelling with associated landscaping and parking and alteration to vehicle access.

LOCATION: Beauvoir, Les Petites Capelles Road, St. Sampson.

APPLICANT: Mr & Mrs C F Corson

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: 22/02/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chateaux Architectural Design - 22 - 010 - 8 & - 9A .

Application Ref: FULL/2023/0019

Property Ref: B011060000

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.No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels, finished floor levels of the approved dwelling and a number of sections across the site (these sections to extend to the southeast and Beauvoir site), have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

5.The dwelling hereby approved shall not be brought into use until the single-storey extension which has been granted permission as a self-contained dwelling in its own right (shown dotted on approved plan, 9A) has been demolished and the site cleared, materials removed and the land laid to garden/parking associated with Beauvoir as shown on the approved plans.

Reason - To ensure that the number of residential units on the site does not exceed that which has been approved and to ensure that amenity space and off-road parking is provided to serve the occupiers of Beauvoir in the interest of residential amenity.

6.Prior to the commencement of any work in connection therewith details of the external appearance of the sheds to be used for secure and covered cycle storage shall be submitted to and agreed in writing by the Authority. The dwelling hereby approved shall not be brought into use before the cycle storage approved has been fully implemented in accordance with the approved details.

Reason - To encourage the use of bicycles as an alternative to the car.

7.Prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in

writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas (incorporating permeable paving);
- ii) full details of tree and hedge planting to the front/northwest of the dwelling hereby approved;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants; and
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

8.The landscaping 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.

9.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.

10.The 1.8m high fence hereby approved to separate the garden and parking area of Beauvoir from the approved dwelling shall be erected before the dwelling hereby approved is brought into use.

Reason - In order to secure the privacy of both the occupiers of Beauvoir and the occupiers of the dwelling hereby approved.

11.The development hereby permitted shall be constructed in accordance with the details set out in Chateaux Architectural Design letter dated 12/12/2022 and in accordance with the details shown on the approved plans regarding an electrical

vehicle charging point, permeable paving and solar panels, and there shall be no occupation of the dwelling until the solar panels and electric vehicle charging point have been installed and made operational.

Reason - In the interests of sustainable development.

Expiry Date: This permission will cease to have effect on 21/02/2026 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 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/2023/0019
Property Ref: B011060000
Valid date: 18/01/2023
Location: Beauvoir Les Petites Capelles Road St. Sampson Guernsey
GY2 4GX
Proposal: Demolish part of existing dwelling, erect replacement dwelling
with associated landscaping and parking and alteration to
vehicle access.
Applicant: Mr & Mrs C F Corson

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. No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels, finished floor levels of the approved dwelling and a number of sections across the site (these sections to extend to the southeast and Beauvoir site), have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

5. The dwelling hereby approved shall not be brought into use until the single-storey extension which has been granted permission as a self-contained dwelling in its own right (shown dotted on approved plan, 9A) has been demolished and the site cleared, materials removed and the land laid to garden/parking associated with Beauvoir as shown on the approved plans.

Reason - To ensure that the number of residential units on the site does not exceed that which has been approved and to ensure that amenity space and off-road parking is provided to serve the occupiers of Beauvoir in the interest of residential amenity.

6. Prior to the commencement of any work in connection therewith details of the external appearance of the sheds to be used for secure and covered cycle storage shall be submitted to and agreed in writing by the Authority. The dwelling hereby approved shall not be brought into use before the cycle storage approved has been fully implemented in accordance with the approved details.

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- i) the treatment proposed for all ground surfaces, including hard areas (incorporating permeable paving);
- ii) full details of tree and hedge planting to the front/northwest of the dwelling hereby approved;
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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.

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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.

10. The 1.8m high fence hereby approved to separate the garden and parking area of Beauvoir from the approved dwelling shall be erected before the dwelling hereby approved is brought into use.

Reason - In order to secure the privacy of both the occupiers of Beauvoir and the occupiers of the dwelling hereby approved.

11. The development hereby permitted shall be constructed in accordance with the details set out in Chateaux Architectural Design letter dated 12/12/2022 and in accordance with the details shown on the approved plans regarding an electrical vehicle charging point, permeable paving and solar panels, and there shall be no occupation of the dwelling until the solar panels and electric vehicle charging point have been installed and made operational.

Reason - In the interests of sustainable development.

OFFICER'S REPORT

Site Description:

Beauvoir is a detached two and a half-storey dwelling with flat roof dormer and rooflight in the rear roofslope. To the rear is a single-storey flat roof extension. The property is situated between Les Petites Capelles Road and Les Bas Capelles Road with lawned areas to the front and rear.

The site is located Outside of the Centres as designated in the Island Development Plan. Beauvoir is a pre-1900 building.

Relevant History:

FULL/2022/0567 - Subdivide dwelling into 2 dwellings – granted

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the demolition of the flat roof section of the existing dwelling, Beauvoir and the erection of a replacement detached one and a half storey dwelling fronting Les Basses Capelles Road. The replacement dwelling comprises an open plan living, kitchen and dining area, bathroom, utility and bedroom on the ground floor with a first-floor bedroom and bathroom within the roofspace. Two timber sheds are proposed to serve as cycle parking to serve the existing and new dwelling, an electric vehicle charging point is also shown for each dwelling. Solar panels are shown to be provided to the rear/southeast elevation of the dwelling.

In connection with the demolition works part of the rear of the existing dwelling will be revealed and the application shows alterations to ground floor windows and door in the rear elevation. These would represent exempt works not requiring planning permission.

Vehicular access for the new dwelling would be via the existing vehicular access at Les Basses Capelles Road and the access for Beauvoir would remain from Les Petites Capelles Road. The application drawings do however, show amendments to the parking arrangements associated with the existing dwelling with an existing boundary wall partially demolished to create a vehicular access closer to Beauvoir and the existing access partially infilled to form the rear garden associated with the new dwelling.

A Waste Management Plan has been provided.

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

Island Development Plan policies:

OC1: Housing Outside of the Centres

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of demolishing part of the existing building and the erection of a detached dwelling on the undeveloped part of the site, the future living environment of occupiers of the development, the design and appearance of the proposed dwelling and its likely effect on the character and amenity of the locality and the potential impact on residential amenity and the impact of the development on the local area with regard to residential amenity, parking and access arrangements.

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.

Principle of demolition and rebuild

Policy OC1 offers support for the demolition and redevelopment of a building that meets the aims of the earlier subdivision aspect of the policy without the need to implement a subdivision planning permission. Planning permission was granted under application reference FULL/2022/0567 for the subdivision of the existing dwelling into two residential units. The application to construct two new dwellings,

following the grant of permission for the subdivision of an existing building to two dwellings, therefore accords with OC1 i.

Visual Amenity

The proposal would result in built development spreading to the northwest part of the site which is currently open and undeveloped domestic garden and with an existing vehicular access to the boundary with Les Basses Capelles Road. To the west is frontage residential development to Les Basses Capelles Road whilst to the east, residential properties front Les Petites Capelles Road to the south with gardens to the north. Although development would spread across the site the development would provide an active frontage to Les Basses Capelles Road in keeping with the residential development to the west. It does not represent unacceptable backland development given that the site is situated between two road frontages and the existing ribbon development along Les Basses Capelles Road. The position of the dwelling in the plot the scheme would not appear obtrusive or out of character in the streetscene in line with the aims of Policy GP8 of the IDP.

It is recommended that a condition is imposed relating to site levels in order to ensure that the development is constructed so it is in keeping with the height of existing adjacent development in Les Basses Capelles Road as there is a change in level between the road and application site.

Floorspace and volume

The information provided with the application sets out that the floor area and volume of the development would increase but remain within acceptable limits. This represents a development of broadly the same floorspace and volume as the approved conversion scheme in line with OC1 ii.

Design

The erection of a replacement dwelling through Policy OC1 provides an opportunity to revisit the siting of buildings (for sustainability and character/openness benefits) and should not be constrained by the existing site layout. Paragraph 16.1.10 outlines that there is potential to relocate a structure on the site or to use sustainable techniques to achieve enhancements that would not be possible through subdivision alone. The partial demolition of the existing dwelling will offer Beauvoir with amenity space to its immediate rear rather than detached as previously proposed for the benefit of future occupiers.

The proposed one and a half-storey dwelling represents efficient and effective use of land and the level of hardstanding proposed is considered to be proportionate to the accommodation and offers an area for cars to turn on site and exit in a forward gear. The drawings confirm that the hardstanding will be permeable, a matter that can be managed by condition.

The existing single-storey extension to the rear of Beauvoir is not considered to be of architectural merit to warrant its retention and its removal is accepted. The proposed one and a half-storey dwelling with render exterior and slate roof, incorporating flat roof dormers to front and rear draws from the design and appearance of other properties in the locality. The proposed dwelling represents a good standard of architectural design that respects the local built environment and the design of the dwelling would represent an enhancement over the existing situation in line with the aims of Policies GP8 and OC1 iii.

The proposed dwelling is to be set back from the road with an area of parking and planting adjacent to the road. The provision of soft landscaping to the front of the site will help reduce the impact of off-road parking on the character of the streetscene and help assimilate the development to its surroundings. The provision of soft landscaping to the front of the site is a matter that can be controlled by condition.

OC1, GP8 and GP9 all relate to residential amenity and consideration must also be given to the future living environment of occupiers of the development. The scheme has been developed to provide occupiers with adequate sunlight and daylight (GP8). The open plan layout of the ground floor accommodation is such that it offers a ground floor bedroom, flexible and adaptable accommodation that can respond to the needs of occupiers over time. There would also be the opportunity to construct an extension (exempt development/through a planning application) which would further enhance the accommodation available for future occupiers. As submitted the scheme would also offer accessibility around and within the ground floor area of the buildings. Although as shown the development would not provide a level threshold this is a requirement of the Building Regulations and therefore accessibility to the building is also considered to be satisfactory in accordance with Policy GP8.

The relationship of the dwelling to the adjoining properties is such that it will not result in overshadowing or loss of light to adjoining occupiers. Ground floor windows in the side elevations would be screened by existing or exempt boundary treatments and the first-floor dormers will not result in overlooking of the adjoining garden at Walnut Tree nor across the street to the properties opposite the site in Les Basses Capelles Road. The relationship with Beauvoir is satisfactory, the development will not result in an unacceptable degree of overlooking or mutual overlooking between the two properties.

Sustainable Development

The submission sets out that the development will be constructed using current building methods and regulations with high specification insulation, drainage, water storage/disposal and the conservation of fuel and power. Attention is drawn to the plan to install solar panels, electric vehicle charging points and permeable paving. In order to ensure these measures are implemented the matter should be controlled by planning condition.

The orientation of the building in its plot is such that primary living accommodation would be situated to the southeast of the property and with fenestration positioned in the southwest elevation along with the principle northwest and southeast elevations which will offer good natural light and ventilation providing natural solar gain to living accommodation and bedrooms. Overall the scheme satisfies OC1 iv., GP8 a. and GP9 a.

Access/Parking

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively.

The application form and block layout plan indicate that at least two off-road parking spaces would serve each dwelling which is considered satisfactory in this location. Therefore the aims of Policy IP7 have been satisfied in this respect. Timber sheds are proposed which can offer secure and covered cycle storage to address the requirements of Policy IP6.

There are no changes proposed to the existing access to Les Basses Capelles Road and its use for a single dwellinghouse, with on site turning proposed, would not result in highway safety concerns with regard to Policy IP9.

Other Matters

The works to the southwest boundary wall to alter parking provision to the existing dwelling are considered satisfactory and will not result in harm to residential amenity or the character of the area.

As the site is located Outside of the Centres where new residential development is tightly controlled it is also reasonable to impose a condition relating to the demolition of the existing approved dwelling (approved through subdivision) to ensure that the number of approved residential units on the site remains as two. Following the receipt of a Waste Management Plan this matter can be managed by planning condition.

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: 22 February 2023

