

**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, erect replacement dwelling, widen and alter existing vehicle access.

**LOCATION:** Wayside, La Route De La Lande, Vale.

**APPLICANT:** Mr Creber

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:** 31/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Jason Hobbs Architectural Services Ltd: 6328/A/6a, /7a & /8a and letter dated 18/05/2023.

**Application Ref:** FULL/2023/0028

**Property Ref:** C000480000

**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 around the dwelling and finished floor levels, 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 this condition.

Reason - The information provided with the application does not include full details of the existing and proposed levels. This condition is imposed to make sure that the development does not have any adverse impact on the character of the area and the amenities of neighbouring residents.

5.Notwithstanding the details shown on the approved plans, the cill height of all of the rooflights in the east roof slope shall be set a minimum of 1.7 metres above the finished first floor level.

Reason - To protect the reasonable amenities of neighbouring residents.

6.Prior to the first occupation of the replacement dwelling, the ends of the enlarged opening of the vehicular access shall be finished off using stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone roadside wall.

Reason - In the interests of visual amenity.

7.The solar panels shall not be installed until details of their construction has been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the solar panels and all other sustainable design features set out in the Jason Hobbs Architectural Services Ltd letter dated 18/05/2023 have been

installed/completed/made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

8.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.

**Expiry Date: This permission will cease to have effect on 30/05/2026 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 220729 or 01481 220722, or mobiles 07781 102219 or 07911 721210.

**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/2023/0028  
**Property Ref:** C000480000  
**Valid date:** 12/01/2023  
**Location:** Wayside La Route De La Lande Vale Guernsey GY3 5BG  
**Proposal:** Demolish existing dwelling, erect replacement dwelling, widen and alter existing vehicle access.  
  
**Applicant:** Mr Creber

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

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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.

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Reason - The information provided with the application does not include full details of the existing and proposed levels. This condition is imposed to make sure that the development does not have any adverse impact on the character of the area and the amenities of neighbouring residents.

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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.

## INFORMATIVES

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

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## OFFICER'S REPORT

### Brief Description of the site:

Planning permission is requested to demolish the existing dwelling and erect a replacement 4 bedroom dwelling and to widen and alter the existing vehicle access to create a 3.5m wide opening. The replacement dwelling would be a 1½ storey pitched roof design incorporating dormer windows and rooflights to the front (west) elevation and high level rooflights to the rear (east) elevation. The dwelling would be finished with rendered and uPVC shiplap clad walls, grey fenestration and a slate roof.

The site comprises of a detached hipped roof bungalow with a single storey flat roof extension to the side (north) elevation. The site forms part of a cluster of residential properties along La Route de La Lande and is within an area of archaeological interest and is Outside of the Centres.

### Relevant History:

None

### Existing Use(s):

Residential use class 1: dwelling house

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

no representation  
accords with policy  
within curtilage  
design acceptable

|   |
|---|
| ✓ |
| ✓ |
| ✓ |
| ✓ |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|   |
|---|
| ✓ |
| ✓ |
| ✓ |

**Policies considered most relevant:**

GP1 - Landscape Character and Open Land  
GP8 - Design  
GP9 - Sustainable Development  
GP13 – Householder Development  
IP6 - Transport infrastructure and support facilities  
IP7 - Private and Communal Car Parking  
IP9 - Highway Safety, Accessibility and Capacity

**Conclusion/Brief comment:**

Properties within the area are of a mixed size and design although they predominantly do not exceed 1½ storeys. The proposal would result in a modest increase to the footprint, scale and mass of the dwelling, with the ridge height increasing by approximately 0.25 metres and the roof form altering from a hipped to a pitched roof design. The scale and design of the replacement dwelling would be proportionate to the size of the plot and would respect the scale and form of neighbouring properties. The overall design of the dwelling is satisfactory and it would have no adverse effects on the landscape character, openness and appearance of the area, in accordance with Policies GP1, GP8 and GP13.

The replacement dwelling is situated in close proximity to the boundary with the neighbouring property to the east. Despite the alterations to the roof form and the increase to the scale and mass of the dwelling, due to the size and layout of the neighbouring property, the proposal is unlikely to result in any significant shading of the neighbouring property.

The ground floor fenestration in the east elevation would result in a similar relationship with the neighbouring property as currently exists and it is noted that boundary treatments could be installed as exempt development if a greater level of privacy is desired by either property. The rooflights in the rear elevation are situated in close proximity to the boundary with the neighbouring property to the east. To protect the amenities of the neighbouring residents it is recommended that all of the rooflights in the east elevation are set at high level with a minimum cill height of 1.7 metres above the finished first floor level.

The distance to the neighbouring property to the south is sufficient to safeguard the amenities of this neighbouring property from the first floor south gable window. Overall the proposal is unlikely to have any significant adverse effects on the amenities of neighbouring residents.

The alterations to the access would improve sightlines whilst conserving the character and appearance of the area.

The agent advises that the replacement dwelling will be insulated to a high level and solar panels are indicated on the south elevation of the shed. A Waste Management

Plan has been submitted. The overall layout and form of the development and the information submitted is sufficient to demonstrate that the development has been designed to take into account the use of energy and resources, in accordance with Policy GP9.

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.

It is recommended that the application is approved.

**Recommendation:**

Grant with Conditions



**Date:** 30/05/2023