

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 dwelling, erect replacement dwelling, infill existing and relocate vehicle access with associated landscaping and parking.

LOCATION: Treloar, Vieille Rue, St. Saviour.

APPLICANT: Mr & Mrs A & C Pickering

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: 16/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects - 1207_6, _7, _8, _9, _10, _11A, _12, _13, _14, & _20A.

Application Ref: FULL/2023/0079

Property Ref: E00983A000

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.Within four weeks of the revised access being brought into use, the works to the 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.

5.No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

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

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

7.The permeable hard surfacing shall not be constructed until full details of that surfacing, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing has been laid in accordance with the approved details.

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

8.Prior to installation, precise details of the solar panels including drawings showing the location and projection of the panels, have been submitted to and agreed in writing by the Authority. The panels should then be installed according to the approved details.

Reason- In the interests of visual amenity.

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.

Expiry Date: This permission will cease to have effect on 15/03/2026 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/2023/0079
Property Ref: E00983A000
Valid date: 23/12/2022
Location: Treloar Vieille Rue St. Saviour Guernsey GY7 9NH
Proposal: Demolish dwelling, erect replacement dwelling, infill existing and relocate vehicle access with associated landscaping and parking.

Applicant: Mr & Mrs A & C Pickering

RECOMMENDATION - Grant: Planning Permission with Conditions:

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OFFICER'S REPORT

Brief Description of the site:

The site is located close to the junction of Vielle Rue and Rue des Cinq Verges, St Sampson, to the west of the reservoir. Land levels rise gently across the site from west to east by approx. 2m across the whole site, meaning the existing house is elevated approx. 1m above the road level.

Treloar is a detached bungalow with conservatory and garage, set within a square plot. The proposal is to replace this with a two storey, three bedroom, contemporary dwelling with a garage under, at basement level. In addition, solar PV is proposed to the first floor flat roof and a revised access to the western boundary.

Relevant History:

N/A

Existing Use(s):

01 Residential dwelling

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

GP8 – Design
GP9 – Sustainable Development
GP13- Householder Development

Conclusion/Brief comment:

The proposal is acceptable in relation to Policy GP13 as it provides a replacement dwelling on a one for one basis, within the existing residential curtilage.

The impact on neighbours is not considered to be significant or harmful due to the separation distances and orientation. The dwelling to the south, Le Frie Baton, is approx. 27m from the nearest proposed first floor window. None of the proposed three windows to this south elevation serve a habitable room, although there is a seating area in the hall which has a large south facing window. Despite this, given the 27m separation distance no harmful overlooking is anticipated. In addition, the area of land between the application site and Le Frie Baton is understood to be agricultural land, and not residential curtilage which means it is also a less sensitive area under the neighbour's ownership in terms of amenity.

The neighbours to the north and west, are also over 40m and 30m distant respectively, which is sufficient to ensure there is no significant harm in terms of overlooking and amenity from the proposed terrace.

The design, scale, mass and form of the development is considered appropriate for the setting. Despite introducing a basement level and first floor, the proposed design reduces the bulk at first floor level and the overall height remains lower than the neighbours hipped roof. It is therefore considered that the proposal will not appear incongruous in the relatively open landscape setting.

The proposed contemporary design and use of quality materials achieves a good standard of architectural design, and the introduction of a first floor demonstrates an efficient use of land.

The proposed revised access relocates the opening to the existing granite roadside wall further north, providing a 5.2m wide access, and achieves an improvement on the existing sight lines and retains the character provided by the natural granite wall. A condition has been applied to ensure this is completed using appropriate materials in the interests of visual amenity.

The proposal includes increasing the height of the existing rendered boundary walls to the northern boundary by 1m, to a total height of 2m, to match the existing hedge which will be removed. The southern boundary wall is to be raised to 1.8m. This is acceptable in order to achieve the privacy reasonably required by the owners, and will not appear overly high or harmful, using appropriate materials.

A landscaping plan will be required by condition, along with an implementation condition, to ensure the development will blend into the setting by virtue of effective soft landscaping. Permeable paving has been proposed for the driveway and external parking areas, this will be secured by condition to ensure that no excess

water discharges onto the highway due to the elevation of the site, and that all surface water is dealt with within the application site.

The installation of solar panels is welcomed through Policy GP9 and IP1, however, although the panels may be exempt development, no information has been provided regarding the projection of the panels and so further details of the solar PV array will also be requested by condition to further assess any impact to neighbours and the visual impact.

For the reasons above the proposal is acceptable in terms of GP1, GP8 and GP13, and approval is recommended. 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: 16/03/2023

