

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: Change of use of agricultural land to domestic garden (1,053 sq.m.), demolish outbuilding, erect 2 storey and single storey extension to south-east elevation, erect carport/store to west of property, alter vehicle access to north boundary, create gated vehicle/pedestrian access to agricultural field.

LOCATION: Colombier House, Rue De Colombier, Torteval.

APPLICANT: Mr & Mrs Pearce-Burke

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: 01/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects - 1182_20B, _25, _26, _27, _28, _29, _30, _31, _32, _33, _34, _40, _41, _42, _43A, _47A, _48C & _49C.

Application Ref: FULL/2023/0290

Property Ref: G001990000

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. Full details of the planting (including the types of plants, planting densities and future maintenance schedules) for the two areas of planting shown on drawing ref: 1182_49C shall be submitted to and approved in writing by the Authority before the 31/12/2023. The two areas shall be planted in accordance with the agreed details by 31/03/2024, 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 and to ensure that biodiversity enhancements are secured in accordance with the Strategy for Nature, 2020.

5. Full details of the planting (including the types of plants, planting densities and future maintenance schedules) for the roof of the garage hereby approved and as shown on drawings ref: 1182_41 and _49C shall be submitted to and approved in writing by the Authority beforehand and shall be planted in accordance with the agreed details in the first planting season following completion or first use of the garage (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 and to ensure that biodiversity enhancements are secured in accordance with the Strategy for Nature, 2020.

6. Within four weeks of the new access being brought into use, the end(s) of the new opening shall be 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.

7. Prior to the first use of the additional access hereby approved the five bar timber field gate shall have been installed in accordance with the details shown on drawing ref: 1182_47A.

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

Expiry Date: This permission will cease to have effect on 31/07/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

Should the agricultural use of the glasshouse cease, then within six months of the cessation of the use, the glasshouse and all associated materials shall be removed from site and the land re-instated so that it is capable of agricultural use.

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/2023/0290
Property Ref: G001990000
Valid date: 15/02/2023
Location: Colombier House Rue De Colombier Torteval Guernsey GY8 ONF
Proposal: Change of use of agricultural land to domestic garden (1,053 sq.m.), demolish outbuilding, erect 2 storey and single storey extension to south-east elevation, erect carport/store to west of property, alter vehicle access to north boundary, create gated vehicle/pedestrian access to agricultural field.
Applicant: Mr & Mrs Pearce-Burke

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. Full details of the planting (including the types of plants, planting densities and future maintenance schedules) for the two areas of planting shown on drawing ref: 1182_49C shall be submitted to and approved in writing by the Authority before the 31/12/2023. The two areas shall be planted in accordance with the agreed details by 31/03/2024, 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 and to ensure that biodiversity enhancements are secured in accordance with the Strategy for Nature, 2020.

5. Full details of the planting (including the types of plants, planting densities and future maintenance schedules) for the roof of the garage hereby approved and as shown on drawings ref: 1182_41 and _49C shall be submitted to and approved in writing by the Authority beforehand and shall be planted in accordance with the agreed details in the first planting season following completion or first use of the garage (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 and to ensure that biodiversity enhancements are secured in accordance with the Strategy for Nature, 2020.

6. Within four weeks of the new access being brought into use, the end(s) of the new opening shall be 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.

7. Prior to the first use of the additional access hereby approved the five bar timber field gate shall have been installed in accordance with the details shown on drawing ref: 1182_47A.

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

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

Should the agricultural use of the glasshouse cease, then within six months of the cessation of the use, the glasshouse and all associated materials shall be removed from site and the land re-instated so that it is capable of agricultural use.

OFFICER'S REPORT

Site Description:

The application site comprises a detached traditional 5 bay Guernsey farmhouse. The property is of pre-1900 construction with a slate roof finish and granite walls. Surrounding the site, the area comprises residential properties to the north, south and east with open fields to the west and northwest.

The site is situated Outside of the Centres, within a Conservation Area and the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

FULL/2020/0540	Change of use of wing bedrooms to visitor accommodation.	Granted 16/06/2020
PAPP/2005/1952	Demolish existing extensions, extend and alter dwelling and erect a conservatory (revised plans)	Granted 18/08/2005
PAPP/2005/0587	Demolish existing extensions, extend and alter dwelling and erect a conservatory	Refused 06/05/2005
PAPP/1994/0353	Replacement glasshouse measuring 180ft x 66ft.	Granted 10/03/1994

Existing Use(s):

Residential – Use Class 1
Agriculture – Use Class 28

Brief Description of Development:

Planning permission is sought to demolish an existing outbuilding, to erect a two storey and single storey extension attached to the southeast elevation of the property, to erect a carport and store to the west and to alter the existing vehicle access to the property. A gated vehicle/pedestrian access to the agricultural field is also proposed to the south of the site.

As initially proposed the scheme also included a change of use of a section of agricultural land totalling 2053m² in area to form part the domestic garden area for the property. During consideration of the application concerns were raised regarding the extent of agricultural land that would be lost, together with the inclusion of non-native species proposed to be planted as part of the submitted biodiversity enhancement scheme. The application was deferred and revised plans have been submitted and the extent of extended curtilage has been reduced to circa 1053m² and the biodiversity scheme amended to include native species. On review of the information received, an additional plan was requested to show the planting areas proposed for the biodiversity enhancements and requesting a minor departure to Policy OC7 on the grounds that the glasshouse will be retained. Both were received from the applicant's agent on 26th July 2023.

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

OC5(A): Agricultural Outside of the Centres – within the Agriculture Priority Area;
OC7: Redundant Glasshouse Sites Outside of the Centres;
GP1: Landscape Character and Open Land;
GP4: Conservation Areas;
GP8: Design;
GP9: Sustainable Development;
GP15: Creation and Extension of Curtilage;
IP9: Highway Safety, Accessibility and Capacity.

Representations:

Two letters of representation were received on the application objecting to the scheme. The grounds for objection are summarised as follows:

Demolition of the outbuilding

- Has this been surveyed for bats?
- The killing of bats and the destruction of a bat roost is illegal under the Animal Welfare (Guernsey) Ordinance 2012 Sections 1 and 7;
- It could be illegal for the Planning Service under Section 7(3) and without the "*reasonable precaution*" of a survey being made would not constitute an "*exemption*" under Section 9(c);

Extension of curtilage

- If non-native species are planted this threatens the biodiversity and the proliferation of invasive non-native organisms.
- The land should be subject to a planning covenant to ensure that it is planted with only species native to Guernsey if it doesn't it is contrary to:
 - o The Land Planning and Development (Guernsey) Law, under purposes of this Law 1.(c), (e) and (f);
 - o The Strategy for Nature, which requires biodiversity gain;
 - o The Strategic Land Use Plan (SLUP) – 10 Natural Environment;
 - o The Island Development Plan e.g. in 2.2.14;
- The loss of such a large area to domestic curtilage would be contrary to the requirement of protecting open land from development under the IDP;
- The loss of such a large area would also not meet the “*reasonable balance*” that is required under 19.16.14 of the IDP;
- If the property already has a large garden under section 19.6.7 such a large extension would not constitute “reasonable expectation” i.e. would be excessive to the needs of the household;
- The scheme would be contrary to Policy GP15 criterion (a);
- Although planning conditions can be applied to safeguard wildlife and biodiversity, these only last a few years which in the longer term can be ignored by the applicant.
- Stone crops would not be in-keeping with the agricultural surroundings;
- Guelder Rose, Spindle and Alder Buckthorn are non-native;
- There is no reason why an extension of curtilage is needed for the environmental schemes to be implemented;
- The whole of the field could be farmed as a traditional hay meadow;

Extension to the property

- It is questionable whether the soil on the green roof will be deep enough to support a mixture of grass and wildflowers;
- The extension and garage/car port are an eyesore and do not suit the old house at all;
- Over development of old farmhouses removes their current charm and render them sterile looking which is happening all too often.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Whether the loss of agricultural land and extension of curtilage is acceptable and any impact on the openness and landscape character of the area.
2. Whether the design and appearance of the proposed extension and new vehicle access is acceptable;

3. Whether the extension would have any detrimental impacts on the amenities afforded to the occupiers of neighbouring properties;
4. Whether the alterations to the existing and the creation of the new vehicle access point would impact on highway safety.

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.

Whether the loss of agricultural land and extension of curtilage is acceptable and any impact on the openness and landscape character of the area

The site includes a glasshouse that is currently unused but is in good condition. Policy OC7 allows for the redevelopment of redundant glasshouse sites for certain forms of development which includes the extension of residential curtilage subject to satisfying six additional criteria. For reasons contained further within this report, the proposal would not have any adverse impacts on neighbours, would not jeopardise highway safety, would make an effective and efficient use of land and would accord with other relevant policies of the IDP. The proposal therefore satisfies the additional criteria (i), (ii), (iii) and (vi) of Policy OC7.

With regard to criterion (iv) the proposal intends to retain the glasshouse. However, the applicant's agent has confirmed that the glass is in excellent condition and that it is his client's intention to rent the glasshouse with the adjacent agricultural field for the purpose of horticulture/agricultural use, to contribute to the future demand for local food production. A further commitment within the application has been made to this with the creation of an agricultural access in the south boundary, which would allow the land and the glasshouse to be used for agricultural purpose independent to the main dwelling. On balance therefore it is considered unreasonable to insist that the glasshouse is demolished when it could and is intended to be used for agricultural purpose in the future. The applicant's agent (by letter dated 25th July 2023) has requested that this matter be treated as a minor departure from Policy OC7 and in this instance and for the reasons referred to above it is considered acceptable. It is recommended that an informative be included on any permission advising the applicant that should the use of the glasshouse cease it should be demolished and removed from the land.

A landscaping scheme and biodiversity enhancement measures (explained in further detail below) have been included within the application and the scheme therefore satisfies criterion (v) of Policy OC7. Based on the above the principle of the change of

use satisfies Policy OC7 and is acceptable if it accords with all other relevant policies of the IDP and in particular Policies GP1 and GP15 which are assessed below.

The objection to the loss of agricultural land from the representors has been acknowledged.

The IDP recognises that agriculture plays a relatively small part in Guernsey's economy but is valuable for its land management function protecting and enhancing the countryside and providing visual access to open space.

The Strategic Land Use Plan (SLUP) requires a balance to be made between the protection of land for agriculture for the industry's current and future needs and recognising the role it plays in countryside management with ensuring land is available to meet other legitimate development requirements. The Island Development Plan has therefore identified large areas of contiguous agricultural land, and other areas well related to established agricultural operations, which represent Guernsey's most valuable agricultural land. These have been identified as Agriculture Priority Areas (APA).

Whilst the policy approach is to generally support development for agricultural purposes in the Agriculture Priority Areas, these areas have been broadly drawn and include areas of land and sites which are not currently used for agricultural purposes and could not be expected to contribute positively to commercial agriculture in the future. The Agriculture Priority Areas are not intended to safeguard the land for agricultural use if it is not appropriate or is not required for that use or where the inclusion of an area of land into a larger land parcel for agricultural purposes would have a negative environmental impact. The Island Development Plan policies therefore allow for other forms of development within the identified Agriculture Priority Areas provided that they accord with all the other relevant policies of the Island Development Plan (policy OC5A)

In order to protect Guernsey's best agricultural land, where appropriate, proposals for development which would result in the loss of an existing farmstead or agricultural holding in the Agriculture Priority Areas will only be supported where it is demonstrated that the farmstead, building or land is no longer required for agricultural purposes and any proposed new use accords with the other relevant policies of the Island Development Plan.

The IDP recognises domestic curtilage as an acceptable use of land where the land is not required for agriculture within the APA.

Policy GP15 makes provision for the extension and creation of curtilages to serve both domestic and non-domestic buildings, subject to compliance with a number of criteria which are addressed in turn below:

a. it would not have an unacceptable detrimental impact on the landscape character;

The land which forms the subject of this application forms a parcel of agricultural land that is split into two areas as shown on the application drawings. Area A is situated close to the existing built form and forms a transition area between levels and is used by vehicles for accessing, parking and turning within the site. This is the proposed location of the new carport/store and forms the area to be included as part of the revised domestic curtilage extension. For the avoidance of doubt area B as shown on the application drawings will remain in agricultural use.

The site is well screened with hedging, trees and an earthbank forming the boundary along Rue de Colombier to the north. A mixture of hedges and trees also separate the remaining agricultural land to the south and west and the neighbouring property to the east.

A change of management of the land to form part of the curtilage associated with the property would not cause harm to the landscape character of the surrounding area. Regarding the proposed carport/store, this has been designed to take advantage of the difference in the levels of the land and would not cause significant harm to the landscape character of the surrounding area. A green roof with planting is also proposed for the carport/store and the trees and hedges immediately to the west of its location will be maintained to help the proposal assimilate into its surroundings.

The scheme proposes new native hedge and shrub planting to the boundary at the rear of the garage linking with the existing roadside hedge (to the west of the garage) and in an area to the east of the garage (both areas are shown on drawing ref: 1182_49 C). The planting proposed will comprise 50% Hawthorn with the remainder comprising Blackthorn, Dog-rose, Bramble and Honeysuckle, and Wild Privet. A green roof is proposed over the new garage which will create a pollinator and wildflower area. The biodiversity enhancements as proposed are proportionate to the extent of land included in the revised scheme and once planted will provide biodiversity enhancements for the site in accordance with the States' adopted Strategy for Nature SPG.

However, it is recommended that conditions are included on any permission for the following:

- full details of the planting (including planting densities and maintenance schedules) for the two areas of planting shown on drawing ref: 1182_49 C to be provided and the agreed details be planted by the end of the first planting season following approval (or in a timeframe otherwise agreed in writing by the Authority); and
- full details of the planting for the approved garage roof (including the type of wildflower mix, planting densities and maintenance schedules) to be provided and that the agreed details be planted by the end of the planting season following first use of the garage.

The suggested conditions will ensure that should the garage never be built, appropriate biodiversity enhancements are secured through the two areas of planting shown on the drawing in a timely manner. It will also allow an alternative timeframe to be agreed should the planting impact on the construction of the garage, or the garage be built at a later date and will secure the biodiversity enhancements proposed for the roof of the garage following its first use.

In light of the above it is considered that the change of use of agricultural land to domestic curtilage would not have an unacceptable detrimental impact on the landscape character of the area.

b. it would not have an unacceptable impact on the biodiversity interest of an Area of Biodiversity Importance or, where negative impacts are unavoidable, they can be acceptably mitigated in accordance with a scheme to be agreed with the Authority in accordance with Policy GP3: Areas of Biodiversity Importance;

The site does not fall within an ABI and therefore the proposal complies with this criterion.

c. it is demonstrated that the land cannot positively contribute to the commercial agricultural use of an Agriculture Priority Area or cannot practicably be used for commercial agriculture within an Agriculture Priority Area without unacceptable adverse environmental impacts;

The agricultural land forms part of the land parcel associated with Colombier House with well-defined boundaries comprising a mixture of well-established hedges and trees along all boundaries separating the land from Rue de Colombier to the north and the remaining agricultural land to the south, west and east.

The application sets out that owing to the topography, restricted access and limited size, the land to be included in the extended curtilage (referred to as area A on the application drawings) has not been used for some considerable time for agricultural purpose and is also unsuitable for such use.

To expand on this, the area to be included in the curtilage forms the access driveway into the site, a relatively large area of hardstanding is present (currently used for the turning and parking of vehicles) with the majority of the remaining land planted with trees, shrubs and hedgerows. It is evident from aerial imagery that historically this planting has been in place for some time, indicating a natural demarcation of the land the subject of the change of use and the remaining agricultural land to the west and south. To enable this land to be used for agricultural purpose, would require the loss of established trees and hedgerows and established boundary features which would conflict with planning policy and the States' Strategy for Nature.

The extent of the proposed curtilage extension has been reduced substantially as part of the revised scheme and a large section of agricultural land will remain in agricultural use. To ensure that the agricultural land is not land locked, a new field

gate is proposed to be formed in the southern boundary of the site to provide a separate agricultural access. Considering this, the applicant's intention to rent the glasshouse/remaining agricultural land and combining the factors referred to above, the proposed change of use would not have an unacceptable impact on commercial agriculture within the Agriculture Priority Area.

d. it is demonstrated that it would not involve an unacceptable loss of established boundary features that contribute positively to the character of an area, unless the new or replacement boundary treatment makes an equal or enhanced positive contribution to the character of the area; and,

The creation of the vehicle access in the south boundary of the site would result in the loss of a 5m section of an existing earthbank which contributes to the rural character of the area. However, once the opening has been formed the scheme proposes to make good the earthbank on either side. Furthermore, the opening has been positioned to ensure that the access would not be created within the root protection areas of existing trees along the boundary, to ensure they can be retained. A high quality 5 bar field gate is proposed to span the opening which would be in-keeping and make an equal positive contribution on the rural character of the area. It is recommended that a condition is included for the gate to be installed prior to the first use of the vehicle access point.

Based on the above and subject to the recommended condition, the scheme accords with this criterion of the policy.

e. it would not adversely affect the reasonable amenities of neighbouring residents.

The nearest neighbouring property borders the site to the southeast. Large trees, hedges and the existing glasshouse separates the application site from this property. The proposed change in use of the land in itself is therefore unlikely to result in a significantly different impact on the amenity of the adjoining property. The proposal complies with this criterion of Policy GP15.

Based on the above the scheme complies with each criterion of Policy GP15, and this aspect of the proposal is considered to be acceptable.

Whether the design and appearance of the proposed extension and new vehicle access is acceptable.

Part of the site is within a Conservation Area. It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

An objection has been received questioning the design of the extension and its impact on the character of the area and whether a survey for the presence of protected species has been undertaken for the building to be demolished.

The rear elevation of the property currently comprises a mixture of roof forms with a pitched roof extension, a conservatory with a lean to roof and a single storey extension. The remnants of an old extension (which now forms a courtyard) and a detached barn are also present. The proposal intends to demolish the barn, the pitched roof extension and the conservatory. Although the barn and the pitched roof extension are of historical form, situated to the rear of the property, they are unseen from the surrounding area and provide little contribution to the character of the conservation area. Demolition is therefore supported. Further to the representation received regarding the need for a bat survey, it is recommended that an informative is included on any permission advising the applicant of The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions and that measures may need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works.

The proposed alterations to the rear elevation of the property comprise a two-storey extension and a single storey extension which have been designed to be subservient to the host dwelling and will provide a more coherent design. A lightweight glazed element is proposed to provide an obvious break between the old historic fabric and the contemporary addition. High quality materials that will complement the new contemporary and old aspects of the building are also proposed. Situated to the rear of the property the alterations will be largely screened from the surrounding area by the existing property to the north, large trees situated along the northeast and east boundaries of the site and a neighbouring property to the south. Any views of these alterations from public vantage points within the surrounding Conservation Area will be limited and any resulting harm would not be so substantial to warrant the refusal of planning permission.

To the west of the property, the scheme proposes a lean to garage, bin store and a visitor car parking area. The garage/bin store has been positioned to take advantage of the raised topography of the land in this location and has been designed with a green roof (planting can be controlled by condition) to blend in and appear as part of the embankment and retaining wall that will be situated to the rear. An aluminium gate will span the width of the opening between the property and the car port which is set back from the roadside to minimise its impact on the Conservation Area. The visitor car parking area will be enclosed by the carport wall and a small granite wall which is proposed along the roadside boundary to match that on the opposite side.

The creation of the vehicle access in the south boundary of the site would result in the loss of a 5m section of an existing earthbank which contributes to the character of the area. However, this aspect of the site is situated outside of the Conservation Area and once formed the earthbanks on either side will be made good. Furthermore, the existing trees either side of the access will be retained and a high

quality 5 bar field gate is proposed to span the opening which would be in-keeping and make an equal positive contribution to the rural character of the area.

Overall for the above reasons the design of the scheme is acceptable and complies with Policies GP4 and GP8 of the IDP.

Whether the extension would have any detrimental impacts on the amenities afforded to the occupiers of neighbouring properties.

The nearest residential property is situated circa 24m from the proposed extension and alterations, and large trees separate the application site from this property. The scheme would therefore not negatively impact on the residential amenities afforded to its occupiers.

Whether the alterations to the existing and the creation of the new vehicle access point would impact on highway safety.

A low granite wall is proposed to the front of the property to form the visitor car parking area which will provide a means of enclosure from the highway, whilst maintaining visibility splays in both directions. The wall will maintain the existing access width and sufficient space exists in the visitor parking/driveway area to allow cars to be able to turn within the site and leave forward facing.

A gate is proposed to the front of the site to provide an element of privacy and security to the property. The gate has been positioned circa 7m from the roadside edge to prevent obstruction and allow a car to wait off the carriageway whilst the gate operates.

The access point to the south of the site is sufficient width to allow agricultural vehicles to negotiate the tight turn into the site. Although the access will increase vehicle movements, Rue De L'Eglise is a Neighbourhood Road which is not heavily trafficked and whereby speeds are reduced. The access point will also be formed on a straight section of road.

Considering the above, the scheme would not harm highway safety.

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: 31/07/2023

