

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: Variations to previously approved plans to demolish dwelling and erect replacement dwelling - increase ground floor footprint and alter first floor footprint, omit flue, alterations to external materials, alterations to fenestration and relocate pedestrian and vehicular accesses within the north boundary.

LOCATION: Le Requin, Candie Road, St. Andrew.

APPLICANT: Mr & Mrs Atkinson

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: **24/05/2023**

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd: 10650 S1-01, 02, 03, 04, 05, 06, 07

Application Ref: FULL/2023/0677

Property Ref: K003350000+K0033300000 + K003330000

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 on or before 04/08/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2022/0418.

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 05/08/2022, issued under planning application reference FULL/2022/0418, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 04/08/2025 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/2023/0677
Property Ref: K003350000+K0033300000 + K003330000
Valid date: 29/03/2023
Location: Le Requin Candie Road St. Andrew Guernsey GY6 8UP
Proposal: Variations to previously approved plans to demolish dwelling and erect replacement dwelling - increase ground floor footprint and alter first floor footprint, omit flue, alterations to external materials, alterations to fenestration and relocate pedestrian and vehicular accesses within the north boundary.

Applicant: Mr & Mrs Atkinson

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 on or before 04/08/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2022/0418.

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 05/08/2022, issued under planning application reference FULL/2022/0418, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Site Description:

The site comprises of a detached 1½ storey hipped roof dwelling situated to the north of Candie Road and elevated above the highway by approximately 1.5 metres. The dwelling forms part of ribbon development of residential properties to the north of the highway but it is situated in a rural area with open agricultural land to the west, north and south of the site and the highway is bounded by earth banks and hedging.

The site is situated in an Agriculture Priority Area and is Outside of the Centres.

Relevant History:

05/08/2022 – FULL/2022/0418 – Permission granted to demolish dwelling and erect replacement dwelling. Create field access to north boundary and infill/level pedestrian access staircase to south boundary.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested for variations to previously approved plans to demolish dwelling and erect a replacement dwelling (FULL/2022/0418). The variations include extend the ground floor footprint to the east, alter first floor footprint, alterations to fenestration, alterations to cladding and external materials, omit flue and relocate pedestrian and vehicular access to field within north boundary. The revised dwelling is proposed to be finished with a mix of rendered walls, Shou Sugi Ban and natural stone cladding at ground floor level and vertical Larch cladding to first floor level.

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

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Policy IP6: Transport infrastructure and support facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design, scale and impact of the development on the open character and appearance of the area.
2. The impact of the development on the amenity of people living in the area.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Planning permission was granted to demolish the dwelling and erect a replacement dwelling in August 2022 (FULL/2022/0418). This application is for variations to the works previously approved. The revised dwelling is broadly the same siting and scale as the previously approved scheme. The alterations to the footprint of the ground and first floor levels, the alterations to the fenestration and the alterations to the external materials would not detract from the overall quality of the design of the replacement dwelling. The proposed soft landscaping for the site would help to soften the visual impact of the dwelling and this could be further reduced by additional tree planting to the east to break up the outline of the dwelling in views from Candie Road to the east. Landscaping details were requested by condition as part of the originally approved scheme and remain relevant for this revised proposal.

Whilst the proposal will introduce a contemporary two storey design to the area, the property is not located within a Conservation Area or other sensitive area as set out in the preceding explanation to Policy GP8, and Policy GP8 provides support for personal choice in design matters in such circumstances. There is a mix of style of properties within the wider area and the contemporary two storey design and materials proposed would not detract from the openness of the area and would not have a significant adverse effect on the character of the local built environment. Details of the external materials were requested by condition as part of the originally approved scheme and remain relevant for this revised proposal. The overall design of the dwelling is good and the scale, mass and design of the replacement dwelling accords with Policies GP1, GP8 and GP13.

The first floor east elevation windows would be set back approximately 18 metres from the eastern boundary with the adjoining neighbouring property. The distance to the neighbouring property to the east would be sufficient to safeguard the amenities of neighbouring residents.

The parking layout remains similar to the existing arrangements and there is scope to provide storage for bicycles if required. Precise details of the north boundary treatment were requested by condition as part of the originally approved scheme to ensure that there is a suitable boundary between domestic and agricultural uses and the condition remains relevant for this revised proposal.

The agent advises that the approved sustainability and waste management strategies will not change and therefore the proposal remains 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.

Date: 23/05/2023

