

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 building and erect 2 replacement dwellings with associated works (revised).

LOCATION: Ellis Park, Les Quatre Vents Estate, Les Quatre Vents, St. Martin.

APPLICANT: Mr D Crouse

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: 07/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Limited: 2119-2/02.01C & 02.02C.
JG Architecture Limited letter dated 30/10/2023

Application Ref: FULL/2023/0954

Property Ref: J00628G000

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.The hedge along the front (north) boundary shall be planted 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 plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally planted.

Reason - In the interests of visual amenity.

5.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, electric car charging points and all other sustainable design features set out in the JG Architecture Ltd letter dated 30/10/2023 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 Policies OC1 and GP9.

6.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 06/12/2026 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/2023/0954
Property Ref: J00628G000
Valid date: 16/06/2023
Location: Ellis Park Les Quatre Vents Estate Les Quatre Vents St. Martin
Guernsey GY4 6ST
Proposal: Demolish existing building and erect 2 replacement dwellings
with associated works (revised).

Applicant: Mr D Crouse

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.

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Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policies OC1 and GP9.

6. 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.

OFFICER'S REPORT

Site Description:

The site comprises of a single storey hipped roof dwelling situated on Les Quatre Vents Estate. Planning permission has recently been granted to sub-divide and extend the existing dwelling to create two dwellings (FULL/2022/1552). The site is located Outside of the Centres.

Relevant History:

01/02/2023 – FULL/2022/1552 – Permission granted to sub-divide and extend existing dwelling to create two dwellings.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission was granted to extend and sub-divide the existing property into 2, two bedroom dwellings in February 2023 (FULL/2022/1552). Permission is now sought to demolish the existing dwelling and garages and erect 2, three bedroom dwellings.

The proposed dwellings comprise of detached 1½ storey pitched roof dwellings with rooflights to the front elevation and dormer windows to the rear. The dwellings would be finished with rendered walls, slate roofs and anthracite uPVC fenestration.

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

Policy OC1: Housing Outside of the Centres

Policy GP8: Design

Policy GP9: Sustainable Development

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Whether the principle of the development is acceptable.
2. Design and impact of the development on the character and appearance of the area.
3. The impact of the development on the amenity of people living in the area.
4. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.

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 extend and sub-divide the existing property into 2, two bedroom dwellings in February 2023 (FULL/2022/1552). As a result of this previous permission, Policy OC1 makes provision for the demolition and redevelopment of the previously approved dwellings where the development meets specified criteria.

The number of units is the same as was approved in the subdivision scheme. The agent has submitted information to demonstrate that both the floor area and volume of the proposed dwellings has increased by less than 20% of the originally approved subdivision scheme. As a result, the proposed floor space and volume is considered to be broadly the same as the approved subdivision scheme.

The existing building does not make a particular positive contribution to the character of the area. Information has been submitted regarding the sustainable design of the development which indicates that insulation levels will exceed current Building Regulations, solar panels are to be installed, the dwellings will have electric boiler systems, electric car charging points will be installed, the design and positioning of fenestration maximises natural light and the longevity of the proposed dwellings compared to the existing is noted. As a whole, the details submitted are sufficient to demonstrate that the proposed dwellings can be constructed in such a way as to significantly enhance their sustainable design.

Despite the increase in the ridge height of the dwellings and the alterations to the form of the roof, the dwellings would be situated in a similar position to the existing dwelling and would be of a similar height to a neighbouring property to the north. The dwellings are multi-storey which is encouraged by Policy GP8 as a more efficient and effective use of land. The overall design and materials of the dwellings achieve a satisfactory standard of design. Planting a section of hedge along the front boundary would enhance the character and amenity of the area. The proposal would have no significant increased adverse impacts on the character or openness of the area.

Revised plans indicate high level rooflights to the front elevation to prevent intervisibility issues with the neighbouring property to the north. High level glazing is indicated in the side elevations and a 1.8m high fence is proposed along the east and west boundaries which would provide an adequate level of privacy between the proposed dwellings and the neighbouring properties to the east and west. The dormer windows to the rear are set back a sufficient distance from the boundary of the neighbouring property to the south to prevent any significant adverse effects on the amenities of neighbouring residents.

The floor space of both of the dwellings substantially exceeds the Guernsey Technical Standards minimum internal space standards and it exceeds the best practice minimum internal space standards which are published on the Authority's website. The dwellings are dual aspect and would have adequate daylight, sunlight and privacy. The external space for both dwellings is modest but adequate for the nature and size of the dwellings that they would serve. Overall, the proposed dwellings would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

Both dwellings would provide adequate car and bicycle parking. Due to the nature of the estate road, the proposal would result in no significant road safety or traffic management concerns.

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: 05/12/2023