

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, change of use of agricultural land to domestic garden (490 sq.m.), erect replacement dwelling with associated landscaping, erect detached 1.5 storey garage/outbuilding to west boundary, alter vehicle and pedestrian accesses.

LOCATION: Leafy Cove, La Garenne, Grand Havre Bay, Vale.

APPLICANT: Mr & Mrs Le Lievre

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: 18/09/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture - Location Plan and Block Plan, 02.01A, 02.02, 02.03, 02.04, 02.05, 02.06, 02.07, 02.08, 02.09 & Page19.

Application Ref: FULL/2023/1000

Property Ref: C010510000

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 and the installation of the gate, the ends of the new opening shall be finished off and the front wall restored/rebuilt using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To secure the satisfactory appearance of the completed development.

5.Notwithstanding the information submitted, the round, first floor south facing window hereby approved to the side of the garage must be glazed with obscure glass to a minimum industry standard privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and this window shall be retained as such thereafter.

Reason - To protect neighbour privacy and amenity.

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.

7. Prior to the commencement of any work in connection therewith a landscaping scheme for the front garden area, to include those details specified below, shall be submitted to and agreed in writing by the Authority by 31/12/2023:

- 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) inclusion of the biodiversity enhancements detailed in the Environment Guernsey Biodiversity Statement dated 27 April 2023.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

8. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, by 31st March 2024. 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 ensure a satisfactory external appearance in the interests of visual amenity and in order to achieve the necessary biodiversity enhancements

Expiry Date: This permission will cease to have effect on 17/09/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For domestic curtilages which are within 100m of a SSS (or close to other sensitive areas such as ABIs or Nature Reserves), non-native, non-local wildflower seeds should not be sown. If land in this circumstance requires seeding, this should be done with locally harvested seed or green hay from an appropriate donor site. N.B., sites which have previously been sown with non-local seed are not considered suitable donor sites.

For the avoidance of doubt, this decision permits the proposed garage to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

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 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/2023/1000
Property Ref: C010510000
Valid date: 07/07/2023
Location: Leafy Cove La Garenne Grand Havre Bay Grand Havre Bay Vale
Guernsey GY3 5SG
Proposal: Demolish existing dwelling, change of use of agricultural land to domestic garden (490 sq.m.), erect replacement dwelling with associated landscaping, erect detached 1.5 storey garage/outbuilding to west boundary, alter vehicle and pedestrian accesses.
Applicant: Mr & Mrs Le Lievre

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. Within four weeks of the revised access being brought into use and the installation of the gate, the ends of the new opening shall be finished off and the front wall restored/rebuilt using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To secure the satisfactory appearance of the completed development.

5. Notwithstanding the information submitted, the round, first floor south facing window hereby approved to the side of the garage must be glazed with obscure glass to a minimum industry standard privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and this window shall be retained as such thereafter.

Reason - To protect neighbour privacy and amenity.

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.

7. Prior to the commencement of any work in connection therewith a landscaping scheme for the front garden area, to include those details specified below, shall be submitted to and agreed in writing by the Authority by 31/12/2023:

- 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) inclusion of the biodiversity enhancements detailed in the Environment Guernsey Biodiversity Statement dated 27 April 2023.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

8. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, by 31st March 2024. 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 ensure a satisfactory external appearance in the interests of visual amenity and in order to achieve the necessary biodiversity enhancements

INFORMATIVES

For domestic curtilages which are within 100m of a SSS (or close to other sensitive areas such as ABIs or Nature Reserves), non-native, non-local wildflower seeds should not be sown. If land in this circumstance requires seeding, this should be done with locally harvested seed or green hay from an appropriate donor site. N.B., sites which have previously been sown with non-local seed are not considered suitable donor sites.

For the avoidance of doubt, this decision permits the proposed garage to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

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 .

OFFICER'S REPORT

Site Description:

Leafy Cove is a small two bed pre 1900 cottage, located in a prominent position, part of a small group of similar sized cottages fronting on La Garenne.

The site lies Outside the Centre and within a Conservation Area as defined in the Island Development Plan. Immediately opposite the site, across the vehicular road, is an Area of Biodiversity Importance which follows the coast and abuts the intertidal zone.

Relevant History:

PREA/2023/0347 – Pre application advice sought on proposed demolition and replacement dwelling.

Existing Use(s):

01 Dwellinghouse
28 Agricultural

Brief Description of Development:

The application proposes the demolition of the existing dwelling, and the erection of a replacement dwelling with associated landscaping.

The application also includes the erection of a detached 1.5 storey garage/outbuilding to west boundary, alterations to the vehicular and pedestrian accesses along with the change of use of agricultural land to domestic garden (490sq m).

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

GP1- Landscape Character
GP4- Conservation Area
GP7 – Archaeological Remains
GP8- Design
GP9- Sustainable Development
GP13- Householder development
GP15- Extension of curtilage
IP6- Transport infrastructure and support facilities
IP7- Private and Communal Car Parking

Representations:

A total of 8 letter of representation have been received from 7 local addresses, and have been summarised below:

- Scale and design proposed is incongruous and out of keeping with existing properties within the Conservation Area, appearing excessive.
- Materials proposed are not appropriate for the location.
- Position of dwelling is closer to neighbouring boundary- visual impact and overshadowing potential.
- Existing issues regarding boundary maintenance.
- Frontage is overly wide, with harmful impact on character of the sensitive coastal area.
- The site is included in the Conservation Area and is therefore afforded special protection.
- Query over need to demolish the existing cottage and preference to retain.
- Is the change of use of agricultural land really required?
- Excessive height of proposed replacement dwelling, exceeds neighbours and is out of character.

- 1.5 storey garage building is excessive and runs closely along neighbours' boundary which has significant visual and physical impact.
- Concern over loss/lopping of trees on neighbouring property.
- Overlooking concern from first floor windows to western neighbour.
- Proposed gates are out of keeping in area which has open accesses
- Provision of two internal staircases and design of building lends to future subdivision of dwelling into two dwellings.
- Proposal should be scaled back to integrate better with existing coastal development.
- Extension of curtilage is harmful to biodiversity
- Concern over damage to boundary trees and existing dry-stone wall.
- Original cottage should be retained, proposal does not equal or enhance the Conservation Area.

Consultations:

N/A

Summary of Issues:

- Principle of Development
- Visual impact of proposed design, mass and scale and its impact in the landscape.
- Impact on Conservation Area
- Neighbour amenity
- Other matters

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.

Policy GP13 allows for the erection of replacement dwellings on a one for one basis, within the residential curtilage, where:

- There are no significant adverse effects on the amenities of neighbours
- The scale, design, mass and form would not detract from the open character of open locations; and,
- They do not adversely affect the special interest of a Conservation Area or Area of Biodiversity Importance (ABI).

The policy continues to explain how proposals involving the demolition and replacement of an existing building will also be considered in relation to the particular positive contribution that an existing building may be considered to make to the character of the area concerned.

Proposals will be supported where the replacement would enhance the character of the area and make a more positive contribution.

Design, form, massing and scale of the proposed replacement building

The preceding text to Policy GP13: Householder Development, paragraph 19.14.10 states:

In considering proposals for the replacement of a dwelling on a one for one basis, consideration will be given to the impact of the new building on the openness of the area rather than a comparison between the impact of the existing dwelling compared with the impact of the new. A replacement dwelling can therefore be larger than the dwelling it is replacing and have a greater impact upon the openness of the area concerned compared with the existing dwelling and will be supported where the Authority is satisfied that the proposed impact is acceptable when considered against all relevant policies of the Island Development Plan.

In addition, Policy GP8: Design supports development that achieves good design that respects the local character but demonstrates an effective and efficient use of land and uses soft and hard landscape where appropriate to help mitigate and/or assimilate a scheme within its setting. The policy recognises the importance of development of a residential nature to allow for flexibility and adaption to suit needs whilst also assuring that proposals have addressed the health and well-being of the future occupiers and neighbours. The Island Development Plan must balance public interest and individual choice but should protect and where possible enhance the built and natural environment.

The scheme relates to the demolition of an existing traditional cottage and the erection of a dwelling of traditional design, scale, form with a more contemporary section to the side, linked by an area of recessed glazing. The proposal introduces accommodation on two floors and is approx. 1m higher than the existing cottage, resulting in a total height of 13.9m which is acceptable in the landscape and in relation to neighbours either side which are 12.7m and 13.8m. The scheme proposes multi-storey development which demonstrates efficient and effective use of land in line with the aims of Policy GP8. Furthermore this is achieved without increasing the height of the development significantly which would appear more visually intrusive in the streetscene and in this coastal location.

The mass, design and scale of development currently proposed appears appropriate, respecting the scale and height of the existing neighbouring cottages. The increased width is acceptable given the wider than average plot and that adequate spacing between dwellings is retained.

The character and pattern of development is characterised by small cottages occupying relatively long and narrow plots, with cottages facing south. The application site is unusual in that it is effectively a double width plot (the eastern half

was previously occupied by glasshouses), and the proposed replacement dwelling is therefore wider than the existing which occupies only the western half of its plot. The existing building on the site is located on a substantial plot that is capable of accommodating a larger building and Policy GP13 sets out that a comparison should not be made between the impacts of the existing dwelling compared with the impact of the new. In addition, the existing house is considered to make a positive contribution to the character of the area, due to its scale and traditional form. The proposed dwelling would continue to make a positive contribution to the character of the area as the design proposed respects the traditional style and character, using appropriate materials to ensure it blends well. This is also considered in Policy GP4 as assessed below.

Overall, the development and palette of materials proposed represents a good standard of design that respects the local built and open landscape concerned in accordance with the aims of Policies GP8 and GP13 of the Island Development Plan. The application drawings in this case include information regarding the external finishes proposed and such a condition specifically relating to details of external materials is not considered necessary in this instance.

The dilapidated outbuildings are to be removed and consolidated by the proposed replacement triple garage, with office above. The extent of hardstanding to the rear is ameliorated by the use of gravel which is, on balance, acceptable in this location. The retention of the existing low dry stone wall to the front boundary is welcomed, and any work to it should respect the existing materials and design, and this will be secured by condition as these boundary treatments help form the unique character of this area of the Island and are a feature of the Conservation Area. The proposed stone pillars and timber gate used to demarcate the access is acceptable and the low height and open design respects the existing character.

The scheme incorporates large areas of glazing to maximise on solar gain and natural light and external amenity space for the enjoyment of occupiers. The development does include stepped access to four bedrooms however there is one bedroom on the same level as the principle living accommodation. The accommodation is generously proportioned and will enable access within the building for people of all ages and abilities. The building would also offer opportunities to be adapted, or extended, to meet the future needs of occupiers and the scheme incorporates level thresholds and allows for good access around the building/site.

The replacement dwelling proposed will not have an unacceptable adverse impact on the character or quality of the built environment or the character and amenity of the locality and therefore the aims of Policies GP13 and GP8 of the Island Development Plan have been satisfactorily addressed in this respect.

Impact on Conservation Area

The principle of the development should be considered in combination with Policy GP4 which states that:

Proposals that would result in the demolition of a building, structure or feature in a Conservation Area that contributes to the character, architectural or historic interest and appearance of the particular Conservation Area will only be supported where any replacement building, feature, structure or vacant site makes an equal or enhanced contribution to the character of that Conservation Area.

The draft Vale Conservation Area Appraisal mentions the building as being of special interest, as part of a row of four 19th century character cottages with an early 20th century building to the south east. It is therefore considered that the existing dwelling makes a positive contribution to the character of the area, despite currently being poorly maintained and having fallen into a state of disrepair.

In the context of Policy GP4, the replacement dwelling is of an appropriate design, scale, height and mass to be considered to make an equal contribution to the character of the Conservation Area.

Amenity:

The proposal will introduce first floor accommodation across the width of the site, in terms of amenity, the proposed development is not anticipated to result in any significantly harmful overshadowing, noise or disturbance due to the spacing and orientation in relation to neighbouring dwellings. The neighbours swimming pool to the northeast has now been removed, which means that the degree of overlooking from the first-floor rear elevation is less critical, the proposal has only bathroom windows to the rear elevation at first floor and so the potential for harmful overlooking is relatively low, and as the neighbours house projects forward of the proposed dwelling the most sensitive areas could not be overlooked from these rear windows.

The proposed first floor side windows are all high level rooflights or high-level gable glazing, which do not impact upon amenity.

The introduction of the triple garage along the western side boundary with La Sauticot is also acceptable given that this replaces existing outbuildings, the first floor windows face east, into the application site with a single south facing window. This south facing window is to be conditioned to be obscure glazed as it may allow some direct views into the neighbouring garden/dwelling. The external staircase is located to the north of the garage which has little impact on neighbours. The garage is approx. 1m from the shared boundary, 2.6m from the neighbour and is approx. 5.2m in height. The pitched roof and offset away from the neighbour means that the visual and physical impact is acceptable.

Impacts on landscape character and open land

The application site is within the 'Northern Shores' landscape character as set out in Annex V of the IDP. This area is low and windswept with extensive sandy beaches separated by rocky points and headlands. The coastline is generally open and undeveloped.

Policy GP1: Landscape Character and Open Land seeks to ensure that proposals do not result in the unacceptable loss of distinctive features that contribute to the wider landscape character and the local distinctiveness of the area.

The detailed design of the development including architectural detailing and materials has previously been considered in the report. The scale of the building is not considered to detract from the openness of the landscape character, as the ridge height is only 1m higher and the increased width is acceptable. Long distance views of the site are possible but will not appear as an obtrusive feature in the wider area. Overall, the scheme meets the aims of Policies GP1 and GP8 in relation to landscape character and open land.

The change of use of agricultural land to domestic garden is proposed to the rear of the site.

This proposes the change of use of a small area (490sq. m) for incorporation into the existing rear amenity garden. A written scheme for biodiversity enhancements has been submitted, including suitable hedge planting and non-native/invasive species clearance and although additional landscaping plans are required, the information provided is sufficient to satisfy the requirements of the Strategy for Nature, and can be conditioned to ensure its timely provision.

The proposed change of use is not considered to have a harmful impact on the landscape character, as it represents only a small area of land which is already enclosed, surrounded by residential land on three sides and has no harmful impact on established boundary features. In addition, the land is not within an ABI or APA. This means the proposal is considered to comply with Policy GP15.

Alterations to access arrangements, car parking provision and effects on surrounding highway

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively.

There is ample off-road parking, garaging and on-site turning to serve the property and therefore the aims of both Policy IP7 and IP9 have been satisfied in this case. With a triple garage included in the scheme there is considered to be ample provision for cycle store to provide occupiers of the dwelling with an alternative mode of transport in line with the aims of Policy IP6.

Waste Management Plan and Sustainable Development

The application has been accompanied by a Waste Management Plan which is considered acceptable to be secured by condition.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

Other matters

Neighbour comments have been received in relation to the principle of demolition the existing building, and the flexibility of the IDP and relevant policies means it would not be considered appropriate or reasonable to condition the retention of the existing building, despite its positive contribution to the character of the area.

As each application must be considered on its own merits and in accordance with the planning policies in place at that time this scheme would not set a precedent for others in the locality.

Concerns raised within the representations in relation to possible effects on adjacent trees and boundary walls are private civil matters between the parties concerned and not material planning considerations which would influence a decision on this planning application.

The site is located within an area designated for archaeological interest, and so an informative note has been used to ensure the applicant is aware of this.

Conclusion

In view of the above, it is recommended that planning permission is granted for the proposed replacement dwelling subject to relevant conditions.

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: 18/09/2023

