

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Demolish dwelling, erect 3 dwellings with associated landscaping and parking (revised scheme).

LOCATION: La Grande Lande Vinery, La Grande Lande, St. Saviour.

APPLICANT: Mr & Mrs J De Garis

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: 13/09/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Drawing Nos: 2203 / 4A, 5A, 6A, 7A, 8A & 9A.

Application Ref: FULL/2023/1382

Property Ref: E00619B000

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.Prior to the commencement of any work in connection therewith details of all external lighting for the access road and parking area shall be submitted to and approved in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include details of the proposed lighting. This condition is imposed to make sure that the external lighting scheme does not have a detrimental impact on the open, rural landscape character.

5.Prior to the commencement of any work in connection therewith details of the approved paddock style fencing, including its height and appearance), the gate accesses shown on the approved plans and any other means of boundary enclosure proposed for the eastern site boundary adjacent to the access road shall be submitted to and agreed in writing by the Authority. No use or occupation of the buildings hereby permitted shall begin until the agreed scheme for boundary treatment has been fully completed and shall thereafter be retained.

Reason - In the interests of visual amenity and the amenities and privacy of occupiers of the development hereby approved.

6.Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence, wall or other means of enclosure more than 1m high (other than any hereby expressly permitted) shall be erected, constructed or placed along the east boundary of the gardens hereby approved, adjacent to the development access road leading to the approved parking area and agricultural land beyond.

Reason - In view of the location of the site in relation to wider areas of open and undeveloped land, the erection of such structures as 'exempt development' may have an adverse impact on the character and appearance of the locality. This condition is imposed to make sure that any proposals can be properly considered.

7. Prior to the commencement of any work in connection therewith details of all new areas of hardstanding, including the GTS Compliant A Service Road, parking and patios (incorporating permeable paving) shown on the approved plans for each new dwelling shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details and the access road and parking areas shall be provided before any of the dwellings hereby approved is first occupied.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to protect the interests of visual amenity and sustainable development.

8. 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.

9. The development hereby permitted shall be constructed in accordance with the details set out in the Sustainability Appraisal and in accordance with the details shown on the approved plans regarding an electrical vehicle charging points and solar panels, and there shall be no occupation of a dwelling until the solar panels and electric vehicle charging point to serve it have been installed and made operational.

Reason - In the interests of sustainable development and to demonstrate that the scheme achieves a substantial enhancement to sustainable design as required by Policy OC1 of the Island Development Plan.

10. The bedroom window (bedroom 2) in the south elevation of unit 2 shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of occupiers of unit 3.

11.The existing shed/store, shown on the approved plans as being relocated to be used for cycle storage, shall be moved to the position shown on the approved plans and made available for secure and covered cycle storage prior to the first occupation of unit 3 to which the store relates.

Reason - In order to provide occupiers of this dwelling with the opportunity to travel by alternative modes of transport.

12.Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - A limit on the noise generated is needed to prevent a nuisance or annoyance to occupiers within the development and surrounding residents.

13.The existing trees and landscaping to the north of unit 1 (shown green on the approved plans) shall be retained and shall not be felled, lopped, topped or uprooted without the prior written agreement of the Authority. Any trees removed, dying, being severely damaged or becoming seriously diseased shall be replaced with trees of such size and species as previously agreed in writing by the Authority within one year of the date of any such loss, for a period of five years from the date development begins.

Reason - The landscaping highlighted in green as being retained is a feature of the site which will help assimilate the development to its surroundings and the condition is attached to ensure the landscaping is protected and retained whilst building works take place on the site and following the completion of works.

Expiry Date: This permission will cease to have effect on 12/09/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum as much as possible.

For the purposes of condition 4, any lighting scheme should include:

1. an indication of the proposed frequency of use of the lights and the hours of illumination;

2. two copies of an accurate plan showing the areas to be lit;
3. details of the number, location, height and colour of any lighting columns or other fixtures;
4. the type, number, mounting height and alignment of the luminaires and the beam angles and upward waste light ratio for each;
5. a diagram showing the predicted levels of illumination at the site boundaries;
6. a diagram showing the predicted vertical illumination affecting any adjacent dwellings.

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/2023/1382
Property Ref: E00619B000
Valid date: 03/08/2023
Location: La Grande Lande Vinery La Grande Lande St. Saviour
Guernsey GY7 9YY
Proposal: Demolish dwelling, erect 3 dwellings with associated
landscaping and parking (revised scheme).

Applicant: Mr & Mrs J De Garis

RECOMMENDATION - Grant: Planning Permission with Conditions:

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INFORMATIVES

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OFFICER'S REPORT

Site Description:

The dwelling at La Grande Lande Vinery is situated to the east of La Grande Lande. It is a detached bungalow set back from the road. The roadside boundary is marked by an earthbank. The front and side garden (north) are lawned with various trees to the north of the dwelling. There are ancillary domestic outbuildings within the site.

Vehicular access is to the south of the dwelling and is shared with the former vinery site. Access is via the south boundary and hardstanding and turning exist within the site. The south boundary with the vinery access is marked by a fence.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

FULL/2021/2139 - Sub-divide dwelling to create 3 dwellings and associated parking and landscaping – granted

FULL/2022/1717 - Variation to previously approved plans to sub-divide dwelling to create 3 dwellings and associated parking and landscaping - erect single storey extensions and solar panels and alter boundary fencing to east (rear) of property of all 3 units – granted

The extent of domestic garden associated with the existing dwelling was defined in 2018. It incorporates the land to the north of the dwelling and the land between the walled garden of the dwelling and access driveway to the east.

FULL/2023/0102 - Demolish dwelling, erect 3 dwellings with associated landscaping and parking – refused - The proposed development, if permitted, would result in the undesirable spread of built development (unit 1) substantially beyond the existing footprint of the existing dwelling without adequate justification. As a result, the development would result in the unnecessary loss of open and undeveloped land and would have an unacceptable impact on the open landscape character of the area contrary to Policy GP1 of the Island Development Plan.

Pre-application advice was sought in this case – offered advice regarding the revised position of the proposed development but reiterating concerns relating to the volume of the development and the need for a development to significantly enhance sustainable design (beyond the requirements of the Building Regulations). The response also addressed multi-storey development and flexible and adaptable accommodation

Existing Use(s):

01 dwellinghouse
28 agriculture

Brief Description of Development:

The application relates to the demolition of the existing dwelling and the construction of one pair of semi-detached two-storey dwellings and one detached single-storey dwelling on the site. The existing garden room and a number of sheds are shown to be retained and, where appropriate, relocated for use as ancillary storage and secure and covered cycle stores.

Unit 1 and 2 – kitchen/diner, shower room, plant room and lounge on the ground floor and three bedrooms and a large family bathroom on the first floor
Unit 3 – open plan kitchen, dining, lounge, WC/plant room, bathroom and two bedrooms

Parking for units 1 and 2 is shown to be provided via the existing access road along the south site boundary which serves the agricultural land beyond. Units 1 and 2 will be served by two spaces each, to the rear of the dwellings. Parking for unit 3 is shown to be at the front of the site, via the existing access. Parking for multiple vehicles is shown to be provided in association with Unit 3. Each property is shown to be provided with an electric vehicle charging point (although these appear to be incorrectly labelled on the application drawings).

The scheme also shows the provision of air source heat pumps that, given their width and depth, along with a lack of detail about specific units to be installed and their noise output, would not represent exempt development. Reference is made to the installation of paddock style fencing between properties (front and rear) to mark the garden associated with each dwelling. The rear/east boundary is shown to be marked by an existing, low earth bank.

The application has been accompanied by a supporting letter, a Sustainable Construction Appraisal and Waste Management Plan.

The supporting letter highlights that there is no uniform character to the ribbon development that exists around the site, nor uniform dwelling design or plot size in the immediate area, that there are a range of properties (single-storey up to two and a half storey) and that the site is not highly visible in the streetscene. The submission notes that Policy GP1 was not considered relevant in relation to the 2021 or the 2022 approvals.

This application submission does not make a request for a minor departure from the IDP.

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

OC1: Housing Outside of the Centres
GP8: Design
GP9: Sustainable Development
IP6: Transport infrastructure and support facilities
IP7: Private and Communal Car Parking

Representations:

La Societe Guernesiaise – commented on the application earlier in 2023 questioning whether the scheme met the various requirements of Policy OC1 and highlighting errors in the submission regarding biodiversity and species not found on Island and

expressing concern regarding the preparation of biodiversity proposals without local expertise.

Consultations:

Building Control - The Hanse Haus construction/engineer designs are potentially far superior than the minimum standards under the requirements of the Guernsey Building Regulations, thermal calculation would also indicate how energy efficient the design is; to also meet standards in the UK Regulation which are better U values than in Guernsey;

Summary of Issues:

The key issue in this case relates to the principle of redeveloping the site with three dwellings in the layout and form currently proposed.

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.

Principle of demolition and rebuild

Planning permission was granted under application reference FULL/2021/2139 for the subdivision of the existing dwelling into three residential units. The application to construct three new dwellings, following the grant of permission for the subdivision of an existing building to three dwellings, therefore accords with OC1 i.

Floorspace and volume

Policy OC1 ii. requires a development to be broadly the same floorspace and volume as the approved subdivision scheme and the application sets out that the floor area will be 18.92% larger than the subdivision scheme whilst the volume will be 25.6% larger. The increase in volume is not considered to be broadly the same as the approved conversion scheme and is acknowledged as such through the submission. The application does however, seek to provide justification for this having regard "overriding sustainable benefits". Reference is also made to other sites/proposals where such deviations have been accepted.

The submission, having regard to Policy OC1 iv. and GP9 (Sustainable Development), sets out that parking and hardstanding is kept to a minimum, heating and ventilation is 60% less than the 2022 approval, photovoltaic panels have been introduced for all

dwelling, primary elevations have natural light and outlook without overlooking, the Hansehaus design exceeds all requirements of the Building Regulations/Technical Standards with a 30 year warrantee and being at least 60% more efficient every year compared to the 2022 approval.

The Hansehaus design is also highlighted to be adaptable with the ability to install lifts and having regard to room sizes that can make provision for storage, cots, mobility issues or desks etc to address how different demographics may use the accommodation. The open plan living and linear form of building, with movable partitions is suitable for adaptation along with being readily able to accommodate extensions (if required). The private spaces that are accessible for all, parking and access meets/exceeds the Building Regulations. In terms of construction, internal insulation, off-peak electricity provision, eco-flush, economy waste systems for reduced bills and increased user efficiency, reduced carbon footprint over time, ceiling heights with infrastructure for additional lights/services.

This justification also refers to biodiversity enhancements to support Policies GP1 and GP8.

Although no specified figure has been included in the IDP in relation to what constitutes what is broadly the same the Planning Service has consistently adopted a figure of a 20% increase for schemes such as this and as such this has become a legitimate expectation of applicants and agents applying for developments under Policy OC1 of the IDP. When considered in isolation therefore this aspect of the scheme would not accord with Policy OC1 however, the matter is considered further elsewhere in this report having regard to sustainable development and efficient and effective use of land.

Siting, Landscape character and openness of an area

The site falls within the Plateau landscape as identified in Annex V of the IDP where the hedge/tree lined lanes which enclose small pastures are interspersed by small, scattered settlements and where in some places pastures have been replaced by glasshouses and residential development. The Plateau landscape is subdivided into a number of subzones and this site is within the Western Plateau subzone, where the landscape is a series of broad erosion platforms stepping down to the west and which is dissected by deeply cut valleys.

The erection of replacement dwellings through Policy OC1 provides an opportunity to revisit the siting of dwellings (for sustainability and character/openness benefits) and should not be constrained by the existing site layout. Paragraph 16.1.10 outlines that there is potential to relocate a structure on the site or to use sustainable techniques to achieve enhancements that would not be possible through subdivision alone.

The scheme proposes the retention of frontage development to La Grande Lande but with the proposed dwelling situated further back in the plot. The spread of the existing dwelling on the site is such that the rear part of the site is not highly visible from the road frontage. Given the size of the existing bungalow however, the proposed dwellings would remain largely within the footprint of the existing building.

The split of development, a pair of semi-detached houses and a detached bungalow would, in some respects, enhance visual access across the site due to the breakdown of built development into two buildings, with a gap in the centre of the site.

The revised submission highlights the different properties found in the vicinity of the application site and it is noted that residential development along La Grande Lande is somewhat sporadic and sometimes with fields separating properties. As a result, the two-storey development would not be readily viewed in the context of existing surrounding development, such as in a street in an urban location, but rather in the context of the site itself. On balance therefore, the scheme will not have any increased adverse impacts on the character of the area. The scheme offers visual access to the open and undeveloped land to the rear of the site and does not undermine the openness of the area in line with Policy GP1 c. and would respect the local built environment and character of the area in line with Policies OC1 v. and GP8 c.

The scheme shows paddock fencing to divide garden areas which would be appropriate in this rural location however, the eastern/rear boundaries of the gardens are shown to be marked by an existing, low earthbank. This would provide no privacy to the gardens as vehicles use the road but would retain visual access to the open land beyond. How the occupiers choose to manage occasional views of the gardens from vehicles accessing the site can largely be left to personal choice however, the impact of a high fence or wall on the wider landscape character could be harmful therefore it is reasonable to remove exemption rights in relation to this domestic boundary.

The scheme also makes reference to the access road being GTS compliant which is likely to present a need for external lighting along its length and in the parking area proposed. A balance must be struck in order to meet the requirements of the Building Regulations but limiting the impact of lighting on the rural landscape and local wildlife therefore a condition is considered reasonable in this case.

Design

The open nature of the site frontage at present offers views across the front garden area and of the dwelling itself which is set back in its plot. The existing site is not however, particularly prominent in the streetscene where there are various other residential properties set back from the road and separated from it by front garden areas and off-road parking.

The two-storey building proposed represent efficient and effective use of land however, whilst the single-storey dwelling represents accessible accommodation this does not make the most efficient and effective use of land because it is not multi-storey development as encouraged by the IDP. Whilst this could have been driven by the restrictions of Policy OC1 in relation to floorspace and volume the submission sets out that the single-storey building meets the specific requirements of the proposed occupier. The scheme offers variety in terms of the mix and type of accommodation on the site also encouraged by the IDP, where possible, and is considered to comply with this aspect of Policy GP8.

The existing detached bungalow was constructed between 1963 and 1979. The existing building is not considered to make a particular positive contribution to the character of the area. The simple, pitched and hipped roof design of the replacement buildings and their render exterior would not detract from the character of the area and the scheme would make an equal contribution to the character of the area in line with Policies OC1 iii., OC1 v. and GP8 c.

As proposed, limited additional soft landscaping is proposed which is indicated to have a biodiversity benefit when considering the Strategy for Nature SPG. The land that is the subject of this application falls within the existing domestic garden area of the existing dwelling therefore there would be no mechanism by which the Planning Service could require biodiversity enhancements in this case. It is likely, in this instance, that wildflower planting could represent an improvement over the existing situation within the domestic garden area but it could also impact on the reasonable use/enjoyment of the garden areas. It is not considered reasonable therefore, to require the wildflower planting to be implemented. The existing landscaping highlighted green on the plans as being retained will help assimilate the development to its surroundings to an extent and it is reasonable to require this to be retained as shown.

Sustainable Development

The application has been supported by a Sustainable Construction Appraisal which highlights the intention to construct using Hansehaus construction.

The scheme proposes dwellings with principal accommodation facing south, east and west. Although some windows are proposed in the north elevation of unit 1 these would serve as secondary windows to the dining room and to the first floor bedrooms which are not considered as primary day time accommodation. The scheme therefore considered access to natural light and solar gain in accordance with Policies GP8 a. and GP9 a. The scheme proposes proportionate levels of hardstanding to provide off-road parking to serve the dwellings along with patios and paths around the buildings which have been confirmed in the Sustainability Appraisal as being permeable, a matter that can be controlled by condition. In this respect, scheme meets the aims of Policies GP8 e. (hard landscaping that contributes to more sustainable construction) and GP9 a. (use of energy and resources).

The information contained in the Appraisal document addresses how the scheme can offer sustainable design with regard to Policy GP9. The design approach and features proposed such as solar panels, electric charging points, permeable paving etc. would address the requirements of Policy GP9 in terms of considering the use of energy and resources, environmental impacts through location/orientation, appearance, form of construction etc. In order to ensure these measures are implemented the matter would be controlled by planning condition.

Policy OC1 iv requires a development of this nature to significantly enhance sustainable design, going beyond the aims of Policy GP9. The Hanse Haus construction/engineer designs are potentially far superior than the minimum standards under the requirements of the Guernsey Building Regulations, thermal calculation would also indicate how energy efficient the design is; to also meet standards in the UK Regulation which are better U values than in Guernsey. It is also recognised that replacement dwellings, particularly incorporating the sustainability credentials of this scheme (*"heating and ventilation is 60% less than the 2022 approval, photovoltaic panels have been introduced for all dwellings, primary elevations have natural light and outlook without overlooking, the Hansehaus design exceeds all requirements of the Building Regulations/Technical Standards with a 30 year warrantee and being at least 60% more efficient every year compared to the 2022 approval"*) would offer sustainability benefits that exceed those of the existing property which has been substantially extended and altered over time.

Overall therefore, the design and construction approach does demonstrate outstanding sustainability credentials that would go above and beyond the aim of GP9 to significantly enhance sustainable design for the purposes of OC1 iv. of the IDP. Given these sustainable enhancements associated with the development and notwithstanding the comments made above in the section relating to floorspace and volume it is considered that the limited increase in floorspace/volume above the accepted 20% would also be justified in this case and so the scheme accords with Policy OC1 ii.

The Waste Management Plan is considered satisfactory in this particular case and is supplemented by information in the Sustainability Appraisal regarding the scope to recycle/reuse materials from the proposed development, Further details relating to demolition works etc could be controlled by condition.

Residential Amenity

OC1, GP8 and GP9 all relate to residential amenity and consideration must also be given to the future living environment of occupiers of the development. The scheme has been developed to provide occupiers with adequate sunlight and daylight (GP8). The largely open plan layout of the ground floor accommodation is such that it offers flexible and adaptable accommodation that can respond to the needs of occupiers over time and the application confirms that the ground floor partitions could be moved for redefined spaces. The submission also confirms that consideration has been given to the design in terms of accommodating a lift, if needed. There would

also be the opportunity to construct extensions to these dwellings (exempt development/through a planning application) which would further enhance the accommodation available for future occupiers. As submitted the scheme would also offer accessibility to and within the ground floor area of units 1 and 2 whilst unit 3 is on a single level with the associated accessibility benefits.

The size of the plot and its relationship with surrounding existing dwellings is such that the proposal will not result in overshadowing, loss of light or privacy to existing adjoining neighbours. The layout of the site as proposed will ensure that there will not be unacceptable overshadowing or loss of light to occupiers of the development from other dwellings proposed.

The scheme has been developed to manage the potential for overlooking and loss of privacy between the dwellings on the site. Ground floor fenestration to the south of unit 2 would be screened by exempt boundary treatments and it is noted that the north elevation of unit 3 is shown to be blank. Primary outlook is to the east and west although it is noted that secondary bedroom windows are proposed to the first-floor accommodation of unit 2 facing south to unit 3. The secondary window serving bedroom 3 would overlook the frontage parking area of unit 3 and the secondary window of bedroom 2 would primarily look across the roof of unit 3 with some oblique views of the rear garden area. In order to mitigate the potential for overlooking and loss of privacy from this window it is reasonable to impose a condition requiring it to be obscure glazed. This would not unacceptably undermine the quality of the accommodation within unit 2.

There would also be an element of mutual overlooking between the rear gardens of units 1 and 2 from the first floor accommodation however this is not uncommon between a pair of semi-detached dwellings and overlooking remains within acceptable limits given the use of the accommodation for bedrooms.

The scheme provides ample amenity space to serve each dwelling. In relation to the unit 3, this is set adjacent to the vehicular access for units 1 and 2 and the agricultural land to the rear. It has been set away from the boundary which is currently marked by a fence (also shown as fencing on the application drawings). Although there may be some disturbance from the use of the access this is not considered to be so significant to warrant the refusal of permission. The scheme therefore complies with Policy GP8 d. (provision of private amenity space).

In order to manage the impact of noise generated by the proposed ASHPs a limit on the noise they generate is also recommended.

Parking

The IDP offers flexibility in terms of parking provision Outside of the Centres and the level of parking is considered acceptable to serve this development in line with Policy IP7. Cycle parking is also proposed within existing outbuildings to address the aims of

Policy IP6 and subject to a condition relating to the relocation of the store associated with unit 3 this is considered satisfactory.

Conclusions

In view of the above it is recommended that the scheme is granted permission subject to planning 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. Where relevant these issues have been taken into account in the consideration of this application.

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: 07/09/2023

