

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 dwelling with associated works and widen vehicle access (revised scheme).

LOCATION: Le Grand Fort, Les Salines Road, St. Sampson.

APPLICANT: Mr & Mrs Prevel

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: 11/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd - 2244 02.01C, 02.02B & 02.03.

Application Ref: FULL/2023/2094

Property Ref: B016470000

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 any work in connection with the landscaping or hardsurfacing of the site, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including the method of laying of any hard surfaced areas;
- ii) full details of tree and hedge planting; and
- iii) planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings, to define the residential curtilage and to meet the requirements of the Strategy for Nature.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, 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 trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings, and to meet the requirements of the Strategy for Nature.

6.Within four weeks of the existing access being widened, the end of the extended opening shall be finished off using materials and a method of construction which match the remainder of the wall and the existing gate pillar shall be reinstated in accordance with the approved plans.

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

7. The bin store shown on the approved plans shall not be placed on site until details of that store have been submitted to and agreed 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 full details of the proposed feature. This condition is imposed to make sure that the structure is of satisfactory design and does not have any adverse impact on the character of the area.

8. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

9. Prior to the first occupation of the dwelling hereby approved, the building previously approved for conversion under application reference FULL/2019/2258 and the glasshouse located to the north of that building, both shown to be demolished on the approved plan, shall be demolished and removed from the site.

Reason - Permission for the dwelling has only been granted on the basis that it replaces the existing building in accordance with Policy GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment), and that the glasshouse is removed from the site in accordance with Policy OC7 (Redundant Glasshouse Sites).

10. Prior to occupation of the dwelling hereby approved, the agreed provision for cycle storage shall be provided. The provision for cycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car.

11. 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.

12. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no hard surfacing (other than any hereby expressly permitted) shall be laid on any part of the site which extends forward of the south elevation of the dwelling hereby approved, towards the highway.

Reason - The creation of a more extensive area of hardsurfacing forward of the dwelling may have an adverse visual impact, could impact on sustainable design and development and could encourage the use of motor vehicles over alternative modes of transport. This condition is imposed to make sure that any proposals can be properly considered.

Expiry Date: This permission will cease to have effect on 10/01/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where wildlife may be present within the buildings and vegetation on the site and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

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/2023/2094
Property Ref: B016470000
Valid date: 27/10/2023
Location: Le Grand Fort Les Salines Road St. Sampson Guernsey GY2 4FG
Proposal: Demolish existing building and erect dwelling with associated works and widen vehicle access (revised scheme).
Applicant: Mr & Mrs Prevel

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).

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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 any work in connection with the landscaping or hardsurfacing of the site, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including the method of laying of any hard surfaced areas;
- ii) full details of tree and hedge planting; and
- iii) planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings, to define the residential curtilage and to meet the requirements of the Strategy for Nature.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, 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 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.

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

7. The bin store shown on the approved plans shall not be placed on site until details of that store have been submitted to and agreed 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 full details of the proposed feature. This condition is imposed to make sure that the structure is of satisfactory design and does not have any adverse impact on the character of the area.

8. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

9. Prior to the first occupation of the dwelling hereby approved, the building previously approved for conversion under application reference FULL/2019/2258 and the glasshouse located to the north of that building, both shown to be demolished on the approved plan, shall be demolished and removed from the site.

Reason - Permission for the dwelling has only been granted on the basis that it replaces the existing building in accordance with Policy GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment), and that the glasshouse is removed from the site in accordance with Policy OC7 (Redundant Glasshouse Sites).

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Reason - To encourage the use of bicycles as an alternative to the car.

11. 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.

12. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no hard surfacing (other than any hereby expressly permitted) shall be laid on any part of the site which extends forward of the south elevation of the dwelling hereby approved, towards the highway.

Reason - The creation of a more extensive area of hardsurfacing forward of the dwelling may have an adverse visual impact, could impact on sustainable design and development and could encourage the use of motor vehicles over alternative modes of transport. This condition is imposed to make sure that any proposals can be properly considered.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where wildlife may be present within the buildings and vegetation on the site and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

OFFICER'S REPORT

Site Description:

The application site ownership encompasses a dwellinghouse known as Le Fort, an associated self-catering unit and glasshouses located within the recognised domestic curtilage to the east of the site. The curtilage extends approximately 60m back from the roadside, and omits a strip of land to the west, containing a former packing shed, which forms the subject of this application, and a span of glass along that boundary. The packing shed comprises a pitched roof structure clad in asbestos and includes first floor storage.

The application site ownership is located to the north of Les Salines Road and is bounded by a residential property to the west and agricultural land to the north, east and across the road to the south. The application site itself is limited to an area to the south-west of the land ownership.

The whole of the dwelling known as Le Fort is protected, together with the outbuilding to the south-east and the roadside wall and railings immediately to the front of those buildings. The building and section of roadside wall which forms the subject of this application is not included in the listing.

The site is located Outside of the Centres in the Island Development Plan.

Relevant History:

FULL/2019/2258 Convert packing shed to dwelling, erect porch to east elevation.
Demolish section of glasshouse. Approved 23/12/2020

FULL/2022/2299 Demolish existing building and erect dwelling with associated landscaping and parking and widen vehicle access. Refused 24/05/2023

Existing Use(s):

Agricultural Use Class 28

Residential Use Class 1

Brief Description of Development:

Permission is sought under this application to demolish the existing packing shed and remaining glasshouse along the west boundary of the site, and to erect a new one bed dwelling to the north-east of that shed. The existing access on to Ruelle du Frocq would be retained and widened from 2.8m to 3.46m, with parking provided between the new dwelling and the road. Domestic curtilage for the new dwelling would be retained in the south-west corner of the site, encompassing part of the redundant glasshouse land and part of the domestic curtilage associated with Le Fort.

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

OC1	Housing Outside of the Centres
OC5(B)	Agriculture Outside of the Centres – Outside of the Agriculture Priority Areas
OC7	Redundant Glasshouse Sites
GP1	Landscape Character and Open Land
GP5	Protected Buildings
GP8	Design
GP9	Sustainable Development
GP15	Creation and Extension of Curtilage
GP16(A)	Conversion of redundant buildings
GP16(B)	Conversion of redundant buildings – Demolition and Redevelopment
IP6	Transport Infrastructure and Support Facilities
IP7	Private and communal car parking
IP9	Highway Safety, Accessibility and Capacity

Representations:

None received.

Consultations:

None undertaken on the current application. In respect of the previous application for conversion (ref FULL/2019/2258), the following consultation responses were received and remain relevant in respect of the current application:

Environmental Health

I have reviewed the proposed plans for Le Grand Fort which were received by post on 29th November 2019 and there are a number of issues of concern that I must

raise. I have reviewed the historic records and note that the glass house is not detailed as being heated. There is also evidence of a pond that has been infilled on the site at some point, although this area is not detailed as being part of the proposed development. Although this is the case I would be grateful if the following informative could be provided to the applicant:

Discovery Strategy (not to be applied as a condition but rather an informative to be applied to any applications that may raise concerns)

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to Planning Services a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Department for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Health and Safety Executive

The HSE does not currently advise against the proposal.

I recommend that the following conditions are put in the planning approval.

1. A full asbestos survey must be carried out by a competent person, in accordance with the Guidance set out in the '*Control of Asbestos Approved Code of Practice 2013 (rev 2017)*' (ACoP) prior to the commencement of any works.

N.B. This is **NOT** a structural survey, rather a specialist report regarding the integrity of the asbestos containing material in the context of health and safety requirements. It must be undertaken by a competent asbestos surveyor with specific attention given to the suitability of the encapsulation proposed.

2. Any actions identified by the competent person, in the survey, must be followed. For example, where it is advised that damaged asbestos containing material is removed, then it must be removed.
3. A management plan must also be drawn up and kept by the dutyholder, in this case JG Architecture, and the owner of the property.
4. I must make it unequivocally clear that it is important for JG Architecture, and the owner, to keep the management plan on file. It must be kept up to date, reviewed and must be passed on to any future owners as well as relevant contractors at any time work is undertaken. This must be carried out in accordance with guidance set out in the '*Control of Asbestos Approved Code of Practice 2013 (rev 2017)*' (ACoP).

5. For the avoidance of doubt this is because the duties set out in the Health and Safety at Work (General) (Guernsey) Ordinance 1987, remain firmly with the duty holder. In this case JG Architecture (see section 2(1)), and the property owner, where part of a business.
6. If the property owned does not form part of a business i.e. it is a domestic property in private ownership, the duties referred to in point 5 remain with JG Architecture.
7. If JG Architecture are unsure or do not agree with anything identified by the competent advisor, referred to in points above, they are at liberty to obtain a second opinion.

Summary of Issues:

Whether the proposal complies with policy.

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).**

This application follows a previous refusal to demolish the existing building and to construct a new dwelling, which was refused for the following reasons:

The proposed development would not be of broadly the same volume as the approved conversion scheme and the proposal would therefore be contrary to Policy GP16(B)b) of the Island Development Plan. As the development would not comply with Policy GP16(B), there would be no policy gateway under Policy OC1 (Housing Outside of the Centres).

The current application seeks to address the reason for refusal, and other elements highlighted within the accompanying report, and is assessed against the relevant policies below.

Redundant Glasshouse Site

The application site is located partially on a redundant glasshouse site, and the principle of development must therefore be considered against Policy OC7 (Redundant Glasshouse Sites). The criteria of that policy were considered under the previous application for conversion of the packing shed at this site, and were found to be met. The current proposal would not change this assessment in respect of criteria a)-h) of that policy.

The application continues to include the demolition of the remaining glasshouse, in accordance with criterion iv) and this matter can be controlled by condition.

The remaining criteria of Policy OC7 will be addressed as part of the assessment below.

The principle of residential development

Policy OC1 (Housing Outside of the Centres) indicates that new dwellings will only be supported where the proposal is achieved through the subdivision of an existing dwelling or the conversion of a redundant building, in accordance with Policies GP16(A) and GP16(B) (Conversion of Redundant Buildings).

In this case, permission has been granted for the conversion of the building which forms the subject of this application under Policy GP16(A), and permission is now sought for the demolition of that building and the construction of a new dwelling under Policy GP16(B).

Policy GP16(B) states that the demolition and redevelopment of a building that is able to accord with the requirements of the conversion of redundant buildings policy may be acceptable without the need to implement the permission for conversion by physically carrying out the development, provided that:

a. the conversion scheme has first been granted planning permission;

The conversion of this building was approved 23/12/2020, under reference FULL/2019/2258.

b. the redeveloped scheme is of broadly the same floor space and volume as the approved conversion scheme and, in the case of development for residential purposes, the number of units approved in the conversion scheme is not exceeded;

The approved scheme was for a single unit with combined one bed/living accommodation. The current proposal remains for a single one bed unit, but providing independent bed and living accommodation.

The floor space of the approved scheme is stated to be 26.01m², which accords with the floor space cited in the report for the previous application (allowing for more accurate measuring with a computer system), and the volume is stated to be 102m³, which also matches the approved plans.

The floor space of the proposed scheme is stated to be 34.72m². Whilst it is noted that this calculation does not include the covered porch, in this case, taking into consideration the limited scale and height of the porch, together with the form of construction, it would not be reasonable to include this area within the floor space of the new dwelling. The stated floor space of the dwelling would represent a 23% increase on the floor space of the approved scheme. This increase, taking into

account the small size of the existing building and therefore the relatively limited size of the additional floorspace in absolute terms, could be considered “broadly the same” for the purposes of this policy and would allow for provision of better quality accommodation as opposed to increasing the level of accommodation provided.

The volume of the proposed scheme has been reduced from that of the previous refusal, through the omission of the pitched roof, and is stated to be 110m³, representing a c8% increase in volume. The proposed dwelling would therefore be of broadly the same volume as the approved conversion scheme.

c. where the existing building makes a particular positive contribution to the character of an area the replacement building would make an equal or enhanced contribution to the character of that area;

As identified in the assessment of the previous application, the existing building could not be considered a building of character. The building is a former horticultural structure of utilitarian form and design. Further consideration against this criterion would not therefore be required.

The requirements of Policy GP8 (Design) however go further than this criterion and require a development to achieve a good standard of design which makes an efficient and effective use of land and respects the character of the local built environment, whilst providing soft and hard landscaping where this reinforces local character and mitigates the impacts of the development. In this case, the building forms part of the setting of a protected building and Policy GP5 (Protected Buildings) would also apply. Subsequent to the approval for conversion, the Strategy for Nature has also been adopted as Supplementary Planning Guidance and must be given consideration.

The area is located to the south-west of the L’Islet Local Centre. The land to the east and north of the site, located between the site and the Local Centre, comprises undeveloped open land. Whilst the land immediately across the road to the south of the site comprises agricultural land, the southern side of that road is otherwise characterised by relatively high density 1950s ribbon development, and this form of development extends along Roncefer Road to the west, interspersed with pre-1900 buildings, including that immediately to the west of the site. With the exception of the building which forms the subject of this application and the self-catering unit located at the same site, built form in this area is generally set back from, and orientated to face towards, the highway.

The current application would reposition the building, moving it away from both the west and roadside boundaries, and re-orientating the structure to the road. Whilst this would reduce the variation along the road, the repositioned dwelling would be set back behind the building line of the more substantial dwellings to either side, limiting views of the structure to the section of road immediately in front of the site and from along the pedestrian footway known as Le Fort to the south. The revised design for the proposed dwelling alters the roof form to a flat roof, which is not

consistent with the prevalent building forms in this area. Taking into account the positioning, limited footprint and single storey nature of the building, visual impacts would however be limited and the revised form would remain acceptable in terms of standard of design and impacts on the character of the local built environment.

In respect of the setting of the protected building at the site, whilst the form and positioning proposed would not be characteristic of an ancillary structure to that building, given the distance to that building and proposed design, it would be read as a separate element and would not have any adverse impact on the setting of the protected building.

The existing mature hedging is to be retained along the roadside and additional planting is shown to be undertaken along the north and east boundaries of the proposed curtilage. A detailed landscaping scheme has not been provided. Whilst criterion v) of Policy OC7 does require provision of an appropriate landscaping scheme as part of an application, the submitted information is sufficient to demonstrate an appropriate extent of planting, particularly given that part of the site already comprises curtilage, and the details could be controlled by condition.

The extent of hard landscaping is addressed below.

d. it can be demonstrated that the new building can be constructed in such a way as to significantly enhance its sustainable design;

This criterion reflects the requirements of Policy GP9(a) (Sustainable Development).

The existing building is finished in corrugated sheeting and it is acknowledged that the thermal properties of the building are likely to be poor.

The submitted information demonstrates that the proposed building will achieve a significantly higher thermal performance, not only through construction methods and materials which meet the requirements of the Guernsey Technical Standards, but also through the re-orientation of the building, positioning of fenestration and an internal layout which maximises opportunities for solar and daylight gain.

The proposals also details the reuse of demolition material where possible and the use of permeable hardsurfacing.

On balance it is considered that the improvements in sustainable construction outlined within the application would be sufficient to meet the terms of this criterion. The design and implementation of hardsurfacing can be controlled by condition, however the other matters set out to address this criterion form an integral part of the design and do not warrant separate control by condition.

e. it can be demonstrated that the new building can be constructed in such a way as to not have any unacceptable adverse impacts on the landscape character or openness of an area;

Taking into account the existing built form on and adjacent to the site, boundary features and landscaping, the site does not make a significant contribution to landscape character or openness and the repositioning of the building as proposed would not have any significant impacts in respect of this criterion.

f. it can be demonstrated that the new building can be constructed in such a way as to not have any increased impacts on the amenities or reasonable enjoyment of occupiers of neighbouring properties and the surrounding area.

This criterion is reflected in Policies GP8(d) and GP9(b).

The current application would set the proposed dwelling further from the boundary with the adjacent property to the west when considered against the approved scheme, and would not have any adverse impacts on the amenity of that property.

The repositioning of the dwelling would move the structure towards the existing dwelling at the site, however the separation distance to that dwelling, the restriction in the number of windows in the facing elevation and the provision of robust boundary planting would prevent any adverse impacts on the amenity of that property. The amenity space associated with the existing dwelling is generous and the proposed development would retain ample amenity space to serve that dwelling.

Creation of curtilage

The creation of domestic curtilage was assessed against the relevant policies under the previous application for conversion and found to be acceptable. The current application would include the change of use of the same section of land (that to the east already comprising domestic curtilage) and there has been no change in policy or circumstance which would alter the previous assessment. Additional landscaping is to be provided as outlined above to address the requirements of the Strategy for Nature.

Access, parking and amenity

Access would be retained through the existing access point to the site, widened to 3.46m. The proposed width would be reasonable to serve a domestic property and any impacts on the character of the area would be mitigated by the proposed reinstatement of the existing gate pillar, which can be controlled by condition. Whilst sightlines from the access would be impeded by the roadside boundary treatment, taking into account the existing situation, level of traffic likely to be associated with the proposed development and that the adjacent road is a Neighbourhood Road, road safety concerns are not significant. The provision of access would therefore accord with Policies GP8 (Design) and IP9 (Highway Safety, Accessibility and Capacity).

The extent of hardsurfacing proposed for the driveway and parking area is notable relative to the curtilage area, particularly taking into account that the size of the proposed accommodation is only appropriate for single person occupancy (as set out within the Guernsey Technical Standards). The provision is not however dissimilar to that previously approved. Considering the above, together with the permeable nature of the surfacing and the screening provided by the roadside hedging, it is considered, on balance, that the extent of surfacing proposed would be acceptable. Further extension of the surfacing could be controlled through limitation of exemption rights by condition.

A storage shed is shown to the rear of the proposed dwelling, which could be used to provide covered cycle storage, in accordance with the requirements of Policy IP6 (Transport Infrastructure and Support Facilities). A bin store is also indicated to the front of the dwelling. No details are provided of the bin store, however details where needed, implementation and retention of the storage can be controlled by condition.

Amenity space provision is appropriate in terms of size and quality for the proposed dwelling. The space would be divided from the parking area by 900mm timber fencing, given the limited height and set back from the road, this would have no adverse impacts.

The proposals would therefore accord with Policies GP8(d), IP6 (Transport Infrastructure and Support Facilities), IP7 (Private and communal car parking) and IP9 (Highway Safety, Accessibility and Capacity).

Accessibility, adaptability and waste management

The accommodation is arranged over a single floor and is accessible for all users, whilst the building design is adaptable to suit any future changes in occupier needs, in accordance with Policy GP8 (f)&(g).

A Waste Management Plan has been submitted in support of the proposal, the implementation of which could be monitored by way of condition.

Other matters

Policy GP16(B) only provides a gateway for the proposed development where the proposal is for the demolition and redevelopment of an existing building. In this case, as the proposed replacement building is not located within the footprint of the existing building, it would be necessary to ensure that the existing building is demolished within a reasonable timeframe of the construction of the new building through the application of a condition to the decision.

The matters raised by the Health and Safety Executive are brought to the attention of the applicant, however these matters are controlled under separate legislation

and it is not necessary to reiterate in the form of conditions attached to a planning decision.

Conclusion

The proposals set out within this application accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended, subject to the conditions set out above.

Date: 10/01/2024