

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 building and erect dwelling with associated works.

LOCATION: La Conchee, Rue Des Hougues, Castel.

APPLICANT: Mr & Mrs B Dovey

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: 19/04/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7746-02 B1A, B2, B3, Shed Specification and Design and Sustainability Report (date stamped received 10/04/2024)

Application Ref: FULL/2023/2218

Property Ref: D000370000

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. Please note this is one condition with multiple sub-sections:

(i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by

the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition

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

5.The dwelling hereby approved shall not be first occupied until such a time as all existing buildings on site have been demolished and all ancillary materials, works and structures have been removed from the site.

Reason - To make sure the development takes the form hereby permitted.

6.No cladding to be used on the exterior of the buildings shall be placed on the site until such time as a samples of the material in its finished form has been submitted to the Authority. Only the cladding material and any agreed finish agreed in writing by the Authority shall be used in carrying out the development.

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

7.There shall be no occupation of the dwelling until the electric vehicle charging point, water butts and permeable paving have been installed in the positions shown on the approved drawing (ref: 7746-02 B3) and made operational in accordance with the revised GP9 Statement submitted as part of the application (date stamped received 10/04/2024).

Reason - In the interests of sustainable development.

8.The landscaping scheme and biodiversity enhancements shall be fully completed, in accordance with the details shown on drawing reference 7746-02 B3 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 provide biodiversity enhancements in accordance with the Strategy for Nature SPG.

9. Prior to the first occupation of the dwelling hereby approved, the bicycle storage shall have been constructed in the position shown on the approved drawing (ref: 7746-02 B3) and in accordance with the manufactures details (date stamped received 20/11/2023).

Reason - This condition is imposed to make sure that the cycle storage is installed to offer occupiers of the dwelling the opportunity to travel by alternative modes of transport.

10. The parking and patio area shall be constructed using porous materials or provision shall be made for all run-off water to be taken to a permeable or porous area within the site boundaries.

Reason - To ensure that surface water is managed on site, in accordance with Policy GP9.

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.

Expiry Date: This permission will cease to have effect on 19/04/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

1. Please note with reference to condition 4, a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with

the developer. It is strongly recommended that in submitting details in accordance with condition 4 that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

2. Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. 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.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species 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 by emailing info@societe.org.gg

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/2023/2218
Property Ref: D000370000
Valid date: 20/11/2023
Location: La Conchee Rue Des Hougues Castel Guernsey GY5 7QH
Proposal: Demolish building and erect dwelling with associated works.

Applicant: Mr & Mrs B Dovey

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition

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

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INFORMATIVES

1. Please note with reference to condition 4, a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of (b) and (c) of that condition, however, this will all be confirmed in writing.

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OFFICER'S REPORT

Site Description:

The application site is set to the north of Rue Des Hougues to the west of an existing residential property known as La Conchee. The site is accessed by an existing track and gated access to the east which forms a secondary access to La Conchee and the surrounding agricultural fields to the north, east and west of the site.

The application site was formerly a vinery site which appears to have ceased to operate between 1996 and 2001, all glass was also cleared from the site during that time and the land reverted back to agricultural land. The building which forms the subject of this application is of single storey construction with a lean to roof of low profile, set in the southeast corner of the site.

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

Relevant History:

FULL/2023/2218	Convert, extend and alter building to create residential dwelling with associated work.	Granted 19/03/2024
PAPP/2000/0681	Demolish stables and erect self catering unit.	Refused 30/05/2000
PRCN/1998/0508	Re-locate field shelter (reconsideration)	Refused 07/04/1998
PAPP/1997/3776	Relocation of field shelter.	Refused 25/11/1997

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

Planning permission is sought to demolish an existing building (that has permission to be converted into a dwelling) and to construct a new one bedroom single storey dwelling with associated works.

An area of parking is proposed to be created immediately to the front (south) of the location for the proposed dwelling. Landscaping is proposed along the north, south and east boundaries of the site.

During the course of consideration, the application was deferred to seek a reduction in the amount residential garden area associated with the proposed residential dwelling (the reason for this is contained within the assessment section of this report). Revised plans have been received reducing the garden area by 45% to total 309m² in area.

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

Island Development Plan Policies:

OC1 Housing Outside of the Centres

OC5(A) Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP1 Landscape character and open land

GP8 Design

GP9 Sustainable Development

GP15 Creation and extension of curtilage

GP16(B) Conversion of redundant buildings

IP6 Transport Infrastructure and Support Facilities

IP7 Private and Communal Car Parking

Representations:

La Societe Guernesiaise

By email dated 11th December 2023 stated the following:

In respect of this application, we would like to highlight that the full site is a large land parcel measuring roughly 0.5 hectares (1.25 acres), which is situated within an extensive network of agricultural fields. The surrounding landscape is mostly undeveloped, predominantly farmed and is designated an Agricultural Priority Area (APA).

We acknowledge that the site was formerly a vinery which has been cleared and returned to agriculture, apart from the outbuilding and associated hardstanding, resulting in a net gain of agricultural land. However, we would question whether the proposal meets the requirements of Policy OC5(A): Agriculture Outside of the Centres as the land would be very likely to revert to full agricultural use if the existing outbuilding was simply removed. Therefore the requirement to demonstrate that the land is not required for agriculture may not have been met.

We would also question whether Policy GP1: Landscape Character and Open Land has been met, particularly points a, b and c as follows -

- a. respects the relevant character type within which it is set,*
- b. does not result in the unacceptable loss of any specific distinctive features that contribute to the wider landscape character and local distinctiveness of the area concerned.*

In redeveloping the existing outbuilding as a dwelling, the largely undeveloped character of the area may be compromised – there are only three existing dwellings along Rue Des Hougues.

c. takes advantage, where practicable, of opportunities to improved visual and physical access to open and undeveloped land.

The development would limit visual access to open land as it would partly block existing rural views, including those across the West Coast (see attached); this view is taken from the route of the popular Millennium Walk around St Saviours Reservoir.

Further, we would also like to highlight that buildings of this type can be used by roosting bats, breeding Swallows and other wildlife. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby.

If this application is considered further, we would recommend that the building be inspected for current or recent use by bats and other wildlife by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.

We would recommend that the development proposals include adequate provision to support targeted species of birds and bats, as appropriate. La Societe would be able to assist with this aspect.

We would request that, if this application is considered further, an informative note be added to the Information Sheet as follows -

‘Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

We would also highlight the environmental impact of light pollution on many types of wildlife such as birds, bats and insects. Such pollution can be particularly problematic when introduced into a landscape such as this one, where existing sources of artificial light are relatively sparse. This part of the island has recently been shown to support a number of bat species.

We would ask that the Planning Service consider this aspect in relation to the application. We would further request that, if this application is approved, an informative note be added to the Information Sheet as follows -

‘Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. 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’.

La Societe can be contacted by emailing info@societe.org.gg”

One further email of representation was received from a Guernsey resident dated 30th November 2023. The grounds for objection are summarised below:

- The application lacks details to satisfy the Strategy for Nature requirements;
- On such a large site, there is potential for more biodiversity enhancements.

Consultations:

Office of Environmental Health and Pollution Regulation

By letter dated 15th December 2023, stated the following:

“I have reviewed the proposed plans for the demolition and rebuild of redundant packing shed at the above site to create a single-storey one bedroom dwelling. There is currently insufficient information for me to comment fully on this application.

Table 2 in the Waste Management Plan contains reference to canteen waste that is intended to be used for planting and landscaping on-site. It is not clear where the food waste originates from, and as a result, I require the following information:

- 1. Where the canteen waste originates from*
- 2. Composition of the canteen waste*
- 3. If the canteen waste is as a result of commercial activity.”*

Following deferral of the application additional information was received and OEHPR was reconsulted. By letter dated 26th January 2024 they stated the following:

“I have reviewed the additional information supplied in relation to the proposed plans for the above site, and there are a number of issues of concern that I must raise.

The Waste Management Plan contains reference to onsite crushing of blockwork, concrete, and stone. Although I do not wish to raise an objection about the crushing, as I note the location of the site is not in a residential area, I would like to highlight

that it is this Office's requirement that any mobile crushing activity is covered by a valid Air Pollution Licence. As part of the licence conditions, this Office should be notified prior to any crushing activity.

I have also interrogated Guernsey Historic Maps, Historic Orthophotos, and Cadastre Registry of Land which show there were once heated greenhouses at the site. There is consequently the potential for the land to be contaminated. I would therefore recommend that the following condition is attached to any consent granted for this application:

Potential Land Contamination:

Please note this is one condition with multiple sub-sections:

(i) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by Planning Services: (A desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below, however, this will all be confirmed in writing).

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by Planning Services,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by Planning Services,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to Planning Services verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required

and approved under the provisions of condition (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of Planning Services in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

- a) as built drawings of the implemented scheme;*
- b) photographs of the remediation works in progress;*
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.*

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i) c.”

Informatives/Advice Notes

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above conditions that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.”

Summary of Issues:

The main issues in deciding this application are:

1. whether the principle of the proposal is acceptable;
2. the impact of the development on the character and appearance of the surrounding area;
3. the impact of the development on the amenity of people living in the area;
4. parking and access issues.

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.

Planning permission has previously been granted for the conversion of a former packing shed (a redundant building) situated in the southeast corner of the site. Policies OC1, OC5(B), GP1 and GP16(A) have thus been satisfied and the scheme must now be considered with regard to Policy GP16(B) and other relevant policies of the Island Development Plan.

Policy GP16(B) sets out that the demolition and redevelopment of a building that accords with the requirements of the conversion of redundant buildings policy (Policy GP16(A)) may be acceptable without the need to implement the permission for conversion by physically carrying out the development. There are specific criteria that must be addressed which are assessed in detail below:

a) the conversion scheme has first been granted planning permission

Planning permission was granted on 19/03/2024 to convert and extend the existing packing shed to create a dwelling and to change the use of a section of agricultural land (totalling 309m² in area) to domestic garden with associated landscaping and parking subject to planning application reference: FULL/2023/2208. This permission was granted for works to commence within the standard 3 year time frame and therefore remains extant. This criterion of the policy is therefore satisfied.

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 2023 permission to convert the building into a dwelling related to the formation of a single unit of residential accommodation comprising one bedroom with a shower-room, a bathroom, and an open plan lounge/kitchen area. The information provided confirms that the footprint and overall volume of the building have not changed and remain as per the conversion approval.

There is no requirement in the policy text for the new scheme to be of the same height, form, design or positioning on site as the existing building, provided that any such changes are acceptable under the remaining policy criteria which is assessed below. The proposal however is of the same form and scale to the conversion scheme.

Considering the above, the proposal does not represent a significant increase in either floorspace or volume and overall, the scheme complies with this criterion of the policy.

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

The existing building although highly visible from outside of the site does not make a particular positive contribution to the character of the area.

Irrespective Policy GP8 requires that a proposal achieves a good standard of design, which respects the character of the local built environment or open landscape concerned.

In this case, the proposed building would follow a similar footprint to the previous approved conversion scheme but would be re-positioned further within the site to the north. The form and materials proposed are however consistent with the surrounding built form, and the building would be appropriately positioned within the approved domestic garden area for the scheme and given its single storey form of limited height, would have limited additional impact on the character of the area.

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

As detailed above, the application has been supported by information relating to sustainable development and in relation to Policy GP9, setting out that the building will comprise a highly insulated timber framed construction with timber walls and roof all sustainably sourced. All materials will be largely recyclable should the building ever be demolished and the insulation, light, ventilation, glazing, drainage and access will meet/exceed the Building (Guernsey) Regulations, 2012. The building has been relocated in a more sustainable position within the site and the rooms are all dual aspect with the kitchen and ensuite windows all facing south to maximise solar gain.

The applicant intends to install water butts and an EV charging point within the site and hard surfacing will be permeable paving to ensure that water is controlled on the site. Considering the above the scheme satisfactorily demonstrates significant enhancements to sustainable design in accordance with criterion d. and Policy GP9. This is a matter and the implementation of such enhancements can also be managed 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*

The conversion scheme considered under Policy GP16(A) included the same extent of curtilage as is now proposed. There is no change as part of this redevelopment scheme. The impact of the development on the landscape character is assessed elsewhere in this report and is therefore also satisfied in relation to Policy GP15. Policy GP1 is also relevant in relation to the impact on open and undeveloped land.

Whilst there is open land surrounding the site, the building itself would be located in the southeast corner of the site towards an existing entrance driveway and not far from the built form to the east. An existing hedge separates the site from the

roadside and the proposed earthbank and hedging along north and west boundaries of the curtilage would effectively delineate the extent of domestic garden, preventing further encroachment into the open land and providing landscape enhancement. An access has been maintained in the southeast corner of the site that is suitable for agricultural vehicles and will provide access for such vehicles to farm the remainder of the land and surrounding land if required. The property in its new position would not impede access for agricultural vehicles.

The proposed development would not have an unacceptable adverse impact on the openness of the area and complies with Policy GP16(B) criterion e).

As part of the application a landscaping drawing has been submitted which shows that wildflower meadows will be planted in two proportions of the site (along the north and part of the south boundaries). Details of additional planting, landscaping and biodiversity enhancements have been provided, which includes a bug hotel and native planting. A section of hardstanding is also proposed to be removed from the site and returned to grass. Although the site is not situated in an Area of Biodiversity Importance (GP15 criterion b.) in line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary Planning Guidance, an application involving the change of use of agricultural land to domestic garden must demonstrate environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted. The level of information is considered satisfactory to address the Strategy for Nature and its implementation can be controlled by planning condition.

- 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 matter is considered in more detail below with regard to Policy GP8 of the Island Development Plan.

As outlined above, the siting of the building will not result in harm to the openness and character of the area. The proposed dwelling does represent a good standard of architectural design that respects the local built environment as set out in more detail above. The scheme accords with Policy GP8 criteria a) and c) of the Island Development Plan.

The erection of a single-storey dwelling on the site does not represent multi-storey development that represents the most efficient and effective use of land however, the existing building is single-storey and the submitted scheme does, in all other respects, meet the aims of Policy GP8. Furthermore, creating a multi-storey building in this case could have a negative impact on the design of the development (in order to meet the floorspace and volume requirements of Policy GP16(B)) and could have a greater impact on the landscape character and openness of the surrounding area.

The nearest neighbouring residential property is situated circa 23m to the east of the site and the proposal would therefore not harm residential amenity. The external space provided to serve the dwelling would be generous and offer an attractive outlook from the dwelling. Overall, the proposed dwelling would provide an adequate living environment, in accordance with Policy GP8(d) and Annex I: Amenities having regard to the health and well-being of occupiers of the development with regard to sunlight/daylight and amenity space.

The single-storey nature of the development is such that the accommodation is on a single level without stepped access and has open plan living and accessible bedrooms and bathrooms and an accessible parking area. The accommodation could be used in a different way to that shown on the application drawings and the property could also be extended in the future. Overall, the scheme therefore demonstrates accessibility to and within the building for people of all ages and abilities, offering flexible and adaptable accommodation that can respond to people's needs over time.

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively. The scheme proposes adequate off-road parking and secure cycle parking to serve the development along with on-site turning to enable vehicles to turn and exit the site in a forward gear. The proposed dwelling, having regard to the conversion scheme, will not result in an intensification in the use of the access nor an unacceptable increase in traffic on the local roads. The access onto the local road network is satisfactory with regard to road safety and the scheme therefore accords with the requirements of Policies IP7 and IP9 of the Island Development Plan.

The application has been accompanied by a Waste Management Plan setting out information relating to the recycling and disposal of waste arising from demolition on the site. It is concluded that further information in connection with a Site Waste Management Plan can be controlled by planning condition and therefore Policy GP9 has been satisfied in this respect.

Turning to the change of use of agricultural land to domestic garden, the area of land proposed for garden has not altered from the approved conversion scheme and was considered to meet the aims of Policy GP15. There has been no change in the submission nor the policies against which the proposal must be considered and therefore the conclusion regarding the use of land remains unchanged.

In view of the above it is recommended planning permission is granted for the proposed development.

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: 18/04/2024

