

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

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Demolish existing dwelling, erect 3 dwellings with associated works.

LOCATION: Chat Valeur, Le Bourg, Forest.

APPLICANT: Mr & Mrs T & S Browning

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: 19/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Scandiahus - 237841 01a Rev C, PL1 04 Rev E, PL1 X01 Rev D, PL1 05 Rev B, PL23 04 Rev F, PL23 X01 Rev F & PL23 05 Rev D.
Scandiahus Design & Access Statement (received on 05/03/2024)

Application Ref: FULL/2023/2316

Property Ref: H002450000+H00245A000

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.No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels and finished floor levels of all buildings, 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 - In the interests of visual amenity.

5.No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

6.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 5, 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 - In the interests of visual amenity.

7.Units 2 and 3 hereby permitted shall not be occupied until a scheme showing the provision to be made for the parking of cycles for units 2 and 3, under cover and secure, has been submitted to and agreed in writing by the Authority, and the agreed scheme has been fully implemented.

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

8.No cladding shall be brought to the site until such time as details of the type, texture and colour of the rust multi-colour slate cladding tiles and the light grey cladding boards to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

9.Prior to the first occupation of any of the dwellings, the ends of the enlarged vehicular access shall be finished off using materials and a method of construction which match the remainder of the existing roadside walls.

Reason - In the interests of visual amenity.

10.The air source heat pumps and electric vehicle charging points shall not be installed until details, including their location, manufacturers details and noise data for the air source heat pumps, has been submitted to and agreed in writing by the Authority. The development shall not be occupied until the electric vehicle charging points, Solar PV tiles and all other sustainable design features set out in the Design & Access Statement, Policy GP9: Sustainable Development section have been installed/completed/made operational.

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

Expiry Date: This permission will cease to have effect on 19/03/2027 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 buildings are located in an area where bats may be roosting and measures may therefore need to be taken (including inspections prior to any building 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 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/2023/2316
Property Ref: H002450000+H00245A000
Valid date: 05/12/2023
Location: Chat Valeur Le Bourg Forest Guernsey GY8 0AN
Proposal: Demolish existing dwelling, erect 3 dwellings with associated works.

Applicant: Mr & Mrs T & S Browning

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.

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Reason - In the interests of visual amenity.

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Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

6. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 5, 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 encourage the use of bicycles as an alternative to the car.

8. No cladding shall be brought to the site until such time as details of the type, texture and colour of the rust multi-colour slate cladding tiles and the light grey cladding boards to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

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

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The buildings are located in an area where bats may be roosting and measures may therefore need to be taken (including inspections prior to any building 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 by emailing info@societe.org.gg.

OFFICER'S REPORT

Site Description:

The site comprises of a detached bungalow with a series of single storey outbuildings to the rear. The dwelling is finished with rendered walls with timber detailing and a slate roof. The western section of the site, including the dwelling, is within the Forest Church Conservation Area and the whole of the site is within the Forest Local Centre.

Relevant History:

07/06/2023 – PREA/2023/0853 – Pre-application advice regarding demolish existing and erect 4 dwellings.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to demolish the existing dwelling and erect 3 dwellings comprising of a detached 1½ storey dwelling to the west and 2 semi-detached 1½ to 2 storey dwellings to the east. The proposal includes two, 3 bedroom dwellings and a 1 bedroom dwelling. The dwellings are proposed to be finished with a mix of rendered, composite and stone clad walls and a natural slate and PV slate tiled roof. Permission is also sought to relocate and widen the vehicular access to provide a single access to the development.

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

Policy LC2: Housing in Local Centres
Policy GP1: Landscape Character and Open Land
Policy GP4: Conservation Areas
Policy GP8: Design
Policy GP9: Sustainable Development
Policy IP6: Transport infrastructure and support facilities
Policy IP7: Private and Communal Car Parking
Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

One letter of representation was received on behalf of La Société Guernesiaise which highlights that buildings of this type can be used by roosting bats particularly when a property is located within a variable landscape with habitats such as farmland or woodland nearby. La Société Guernesiaise recommend that the existing buildings are inspected for current or recent use by bats and other wildlife by a suitably qualified person prior to any building works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. La Société Guernesiaise recommend that an informative note to highlight the above is included in the decision notice.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of housing development on this site.
2. Design and impact of the development on the character and appearance of the Conservation Area.

3. The impact of the development on the amenity of people living in the area.
4. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
5. Road safety and traffic management.

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).**

The principle of housing development on this site

As set out in Policy LC2, the Island Development Plan is required to provide limited opportunities for housing development in Local Centres to enable community growth and to reinforce them as sustainable centres but requires that the scale of such development does not undermine the aims and objectives for the Main Centres. The site is located within the Forest Local Centre and is not identified as Important Open Land. As such Policy LC2 supports proposals for housing where the scale is appropriate to the centre concerned; where able to accommodate a variety of dwellings the proposal provides an appropriate mix and type of dwellings; and the proposal accords with other relevant policies of the Island Development Plan.

The erection of 3 dwellings is an appropriate scale for the Forest Local Centre. Current evidence regarding private market housing suggests a need for homes of mainly 1-3 bedrooms, with an emphasis on 2 bedrooms. The current housing indicator numbers was recently published on the Planning Service website in December 2023. Prior to this the evidence for private market housing suggested a need for homes of 1-3 bedrooms, with an emphasis on 2 and 3 bedrooms. As this current application was submitted prior to the publication of the updated housing indicator numbers, in this case it is reasonable to consider the proposed mix and type of housing based on the former evidence. As a result, the proposal broadly reflects housing need and is considered to be appropriate, taking into account the size and nature of the site, the size of the existing dwelling to be replaced and the character of the surrounding area.

Design and impact of the development on the character and appearance of the Conservation Area

The existing dwelling and its soft landscaped frontage makes a limited positive contribution to the character of the Conservation Area. The proposed dwellings form a coherent group which respect the scale, design and layout of surrounding properties. The proposed dwellings incorporate multi-storey units of 1½ storeys, which is encouraged by Policy GP8 as a means of making a more efficient use of land, and would respect the heights and proportions of neighbouring development. As a whole, the layout, general appearance, composition and materials of the proposed dwellings achieve a high standard of design. An indicative soft landscaping scheme

has been submitted which has the potential to conserve the character and appearance of the area. To further enhance the character and appearance of the area and to minimise the visual impact of the development when travelling in a westerly direction along Le Bourg, it is recommended that additional tree planting is undertaken within the proposed hedge line along the east boundary, this can be dealt with by condition. Provided that the alterations to the access and roadside wall are carried out to match the construction and materials of the existing walls, the proposal will make an equal or enhanced contribution to the character and appearance of the Conservation Area, in accordance with Policies GP4 and GP8.

The impact of the development on the amenity of people living in the area

Due to a combination of the layout of the proposed dwellings, the positioning of windows and their distance to neighbouring boundaries and the layout of the neighbouring property, the proposal is unlikely to result in any significant overlooking or overshadowing of neighbouring properties.

Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings

The proposed dwellings all substantially exceed the Guernsey Technical Standards minimum internal space standards and exceed the best practice minimum internal space standards which are published on the Authority's website. All of the proposed dwellings are dual aspect, incorporating south facing windows and would benefit from good levels of daylight and sunlight. The layout of the development achieves an adequate level of privacy for all units. All of the dwellings have access to small gardens, although the garden for unit 3 is limited for a 3 bedroom dwelling. Despite the limited outdoor space for unit 3, overall the proposed dwellings are likely to provide an adequate living environment.

Road safety and traffic management

There are no set standards for car parking within Local Centres. The proposed dwellings would have 1 or 2 on-site car parking spaces which is proportionate to the type and nature of the dwellings in this Local Centre location. All of the dwellings include storage for bicycles although details for units 2 and 3 are required as the stores appear undersized, this can be dealt with by condition.

The alterations to the access are likely to provide adequate sightlines. There is adequate space for vehicles to turnaround on-site and the modest intensification of use of the access is unlikely to result in any significant road safety or traffic management concerns. The proposal accords with Policies IP6, IP7, IP9 and the adopted Parking Standards.

Other matters

Policy GP9 is wide-ranging and includes requirements for sustainable design and construction with reference to the design, layout and orientation of buildings, flood risk and surface water run-off, renewable energy, the use of materials and the management of waste. The application is supported by a Design & Access Statement which sets out how the development has been designed to take into account

sustainable design principles. Information has been submitted to indicate that the dwellings will be of timber frame construction sourced from Scandinavian P.E.F.C suppliers, insulation levels will exceed current Building Regulations, electric vehicle charging points are to be provided and the applicant is committed to the use of air source heat pump, full heat recovery and ventilation systems, underfloor heating, rainwater harvesting and the south roof slopes include Solar tiles. With regards to the air source heat pump, no details have been submitted but provided that any air source heat pumps are installed in accordance with the planning exemptions under Section 1 Class 26, no further planning permissions would be required. A Waste Management Plan has been submitted detailing how waste is to be minimised and managed. Overall the layout and form of the development and the information submitted is sufficient to demonstrate that the development has been designed to take into account the use of energy and resources, in accordance with Policy GP9.

To address the comments raised on behalf of La Société Guernesiaise, it is recommended that a note is attached to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Date: 15/03/2024