

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: Variations to previously approved plans to demolish existing building and erect 2 replacement dwellings with associated works (revised) - Install dormer windows to front elevation to both units and replace solar panels with solar slates.

LOCATION: Ellis Park, Les Quatre Vents Estate, Les Quatre Vents, St. Martin.

APPLICANT: Mr D Crouse

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: 06/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture - 2119-2/02.01E & 02.02E.

Application Ref: FULL/2024/0274

Property Ref: J00628G000

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 on or before 06/12/2026.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2023/0954.

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. The development shall not be occupied until the solar slates have been installed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policies OC1 and GP9.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 07/12/2023, issued under planning application reference FULL/2023/0954, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 06/12/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2024/0274
Property Ref: J00628G000
Valid date: 09/02/2024
Location: Ellis Park Les Quatre Vents Estate Les Quatre Vents St. Martin
Guernsey GY4 6ST
Proposal: Variations to previously approved plans to demolish existing
building and erect 2 replacement dwellings with associated
works (revised) - Install dormer windows to front elevation to
both units and replace solar panels with solar slates.
Applicant: Mr D Crouse

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 on or before 06/12/2026.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2023/0954.

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. The development shall not be occupied until the solar slates have been installed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policies OC1 and GP9.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 07/12/2023, issued under planning application reference FULL/2023/0954, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Site Description:

The site comprises of a single storey hipped roof dwelling situated on Les Quatre Vents Estate. Planning permission was granted to sub-divide and extend the existing dwelling to create two dwellings (FULL/2022/1552) in February 2023, with a subsequent permission granted to demolish the existing building and to erect 2 replacement dwellings in December 2023 (FULL/2023/0954). The previously approved works have not been commenced. The site is located Outside of the Centres.

Relevant History:

07/12/2023 – FULL/2023/0954 – Permission granted to demolish existing building and erect 2 replacement dwellings with associated works (revised).

01/02/2023 – FULL/2022/1552 – Permission granted to sub-divide and extend existing dwelling to create two dwellings.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission was granted to demolish the existing building and erect 2 replacement dwellings in December 2023 (FULL/2023/0954). Permission is now sought to vary the works previously approved by installing 2 dormer windows to the front (north) elevation of each of the dwellings and to replace solar panels with solar slates.

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

Policy OC1: Housing Outside of the Centres

Policy GP8: Design

Policy GP9: Sustainable Development

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Representations:

None

Consultations:

The Office of Environmental Health and Pollution Regulation, 05/03/2024

"I have reviewed the proposed plans for the 'variation to previously approved plans to demolish an existing building and erect two replacement dwellings with associated works (revised) - Install dormer windows to front elevation to both units.'

I do not wish to make any comment or raise any objections to the proposals".

Summary of Issues:

The main issues in deciding this application are:

1. Whether the floor space and volume is broadly the same as the approved conversion scheme.
2. The impact of the development on the amenity of people living in the area.

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 previous permissions (FULL/2022/1552 and FULL/2023/0954) have established the principle of forming two dwellings on the site. The proposal to install dormer windows to the front elevation of the dwelling would result in the floor space of the dwellings increasing by 22% when compared to the original subdivision scheme (FULL/2022/1552), the increase in volume would remain below a 20% increase. Due to the very minor increase the proposal represents, the agent requests a minor departure.

Concerns were raised about the increase in the floor area and whether the dwellings would remain broadly the same as the approved subdivision scheme. In response, revised plans have been submitted which include additional measures to enhance

the sustainable design of the proposed dwellings as a means of balancing against the marginal increase in the floor area of the approved dwellings. In this respect it is proposed to replace solar panels with larger areas of solar slates which across the 2 dwellings would result in an increase in the potential renewable energy generation by between 25-33%.

The increase in the floor area of the proposed dwellings is marginally larger than would typically be considered as being broadly the same floorspace. However, the increase in the volume remains below 20%; the addition of the dormer windows will not change the number of bedrooms or significantly alter the usability of the first floor rooms, or alter the overall footprint of the dwellings; and it is noted that the original subdivision scheme included an increase in floor area of 10% and therefore a larger extension could have been included with the original subdivision scheme. The additional measures to generate renewable energy will significantly enhance the sustainable design of the dwellings and on balance in this case the marginal increase in the floor area is considered acceptable under part (ii) of Policy OC1.

The proposed dormer windows to the front elevation have the potential to create some intervisibility issues with a neighbouring dwelling due to the distance between windows (approximately 12 metres) and the alignment of windows. However, the dwellings are separated by the estate road and together with the layout of the dwellings and the positioning of bathrooms with obscured glazing to one of the dormers for each dwelling, the proposal is unlikely to result in a material adverse impact on the amenities of neighbouring residents.

The size and design of the dormers would have no adverse effects on the character and appearance of the dwellings.

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

It is recommended that the application is approved.

Date: 04/06/2024

