

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: Variation to previously approved plans to demolish existing dwelling, erect 2 residential dwellings, erect garden rooms to south boundary, associated works and alterations to vehicle accesses (revised scheme)
- Material alteration to roof covering to both dwellings.

LOCATION: The Bungalow, Saltpans, St. Sampson.

APPLICANT: NT Construction Ltd

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: 27/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Mark Frampton & Co - 2023 / 654 / 02A

Application Ref: FULL/2024/0781

Property Ref: B008740000

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 by 23/11/2026.

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).

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/11/2023, issued under planning application reference FULL/2023/1408, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 23/11/2026 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/2024/0781
Property Ref: B008740000
Valid date: 07/05/2024
Location: The Bungalow Saltpans St. Sampson Guernsey GY2 4LY
Proposal: Variation to previously approved plans to demolish existing dwelling, erect 2 residential dwellings, erect garden rooms to south boundary, associated works and alterations to vehicle accesses (revised scheme) - Material alteration to roof covering to both dwellings.

Applicant: NT Construction Ltd

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 by 23/11/2026.

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).

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/11/2023, issued under planning application reference FULL/2023/1408, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a vacant site situated to the south of Saltpans Road. Previously a detached bungalow occupied the site which has since been demolished following the grant of planning permission to demolish the dwelling and erect two dwellings on the site (ref: FULL/2021/0703).

A revised scheme was subsequently permitted (ref: FULL/2023/1408) which reduced the scale and massing of the dwellings and created two dwellings of modern contemporary design. The application the subject of this report proposes a variation to this permission to alter the roofing material from standard grey slates, to natural dark grey zinc.

Surrounding the site, the area comprises residential dwellings of mixed building types and design in all directions. A former vinery site is situated to the southeast of the site, which now comprises an allocated housing site (Franc Fief) as allocated in the Island Development Plan.

The application site is situated within a Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

FULL/2023/1408	Demolish existing dwelling, erect 2 residential dwellings, erect garden rooms to south boundary, associated works and alterations to vehicle accesses (Revised Scheme).	Granted 24/11/2023
FULL/2021/0703	Demolish dwelling and erect 2 dwellings and associated vehicular access.	Granted 26/01/2022

Existing Use(s):

Residential – Use Class 1

Assessment: (Tick as appropriate)

no representation

✓
✓
✓
✓

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

✓
✓
✓

Policies considered most relevant:

MC2: Housing in Main Centres and Main Centre Outer Areas;

GP8: Design;

GP9: Sustainable Development;

IP6: Transport Infrastructure and Support Facilities

IP7: Private and Communal Car Parking;

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

Policy GP8 of the Island Development Plan states a number of criteria that new development will be expected to adhere to in order to achieve a high standard of design which respects and where appropriate enhances the character of the environment.

Policy GP8 of the IDP states that *'In other, less sensitive areas'* (not within Conservation Areas, Sites of Special Significance and Protected buildings), *'a good standard of design will be expected, however the Island Development Plan adopts a supportive position with regard to building design in these areas to enable the property owner to exert personal choice in design matters. This adopts the flexible and proportionate approach that underpins the Plan Objectives of the Island Development Plan.'*

The dwelling is not within an area of higher protection as defined by the IDP, and an assessment must be made based on the impact of the proposal on the visual character and amenity of the surrounding area. The area comprises a mixture of one and a half and two storey dwellings (further along Saltpans Road) which vary in architectural styles, material and composition. There is no uniform design, or style of property surrounding the site. Although the use of slates as proposed to zinc (and as originally proposed) would be more in-keeping with neighbouring properties by virtue of the mix of styles of properties within the area, the proposed design of the development, achieves a satisfactory standard of design.

The proposed alterations would not have a negative effect on the amenity of neighbouring properties or affect highway safety in any way.

Policy GP9 - Sustainable Development seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 26/06/2024

