

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

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Demolish existing building and store and erect dwelling with associated works and change of use of agricultural land to domestic garden (300sqm).

LOCATION: Les Rouvets House, Rue De L'Arquet, St. Saviour.

APPLICANT: Mr P Strachan

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: 06/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates 2360 03.01A, 02B, 03 & 04A

Application Ref: FULL/2024/0980

Property Ref: E009340000

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. (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. No landscaping shall be undertaken 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 hard surfaced areas, including a written specification for the laying and finish of those areas, demonstrating permeability;
- ii) full details of tree, hedge and wildflower planting, including additional tree planting within the extended curtilage hereby approved;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants; and
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

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

6. No landscaping shall be undertaken until a landscape management plan, including long term maintenance schedules for all landscape areas has been submitted to and agreed in writing by the Authority. The agreed landscape management plan shall then be fully implemented.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to maintain the contribution to biodiversity in accordance with the Strategy for Nature.

7. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above conditions, 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, to help assimilate the development into its surroundings and in accordance with the Strategy for Nature.

8. Prior to the first occupation of any part of the development or completion of development, whichever is sooner, the building previously approved for conversion under application reference FULL/2022/0343 and the open-sided store to the west of that building, both shown to be demolished on the approved plan, shall be demolished and removed from the site.

Reason - Permission for the dwelling has only been granted on the basis that it replaces the existing building in accordance with Policy GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment).

9. Prior to installation, details of the electric vehicle charge points shall be submitted to and approved in writing by the Authority and prior to the first occupation of any part of the development or completion of development, whichever is the sooner, those charge points shall be installed in accordance with the agreed details and the development shall be otherwise constructed in accordance with the Sustainable Development statement provided as part of the covering letter dated 24/05/2024. .

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9 (Sustainable Development) and GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment).

10. 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 (Sustainable Development).

Expiry Date: This permission will cease to have effect on 06/12/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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 criteria (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 the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

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 appropriate 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

For the avoidance of doubt, the permission hereby granted does not confer any consent whatsoever for alterations to the surfacing of the track between the road and the domestic curtilage hereby approved. Any such alterations would have to form the subject of a separate application for planning permission.

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/2024/0980
Property Ref: E009340000
Valid date: 18/06/2024
Location: Les Rouvets House Rue De L'Arquet St. Saviour Guernsey
GY7 9NE
Proposal: Demolish existing building and store and erect dwelling with
associated works and change of use of agricultural land to
domestic garden (300sqm).
Applicant: Mr P Strachan

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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INFORMATIVES

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 criteria (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.

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building works. Additional measures should also be taken (including consideration of the timing of the works and appropriate 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

For the avoidance of doubt, the permission hereby granted does not confer any consent whatsoever for alterations to the surfacing of the track between the road and the domestic curtilage hereby approved. Any such alterations would have to form the subject of a separate application for planning permission.

OFFICER'S REPORT

Site Description:

The application site comprises the former Tropical Gardens, which closed in the 1990s. The Tropical Gardens were recognised as a horticultural use, for the growing of exotic plants, and the visiting members of the public were considered an ancillary function of that use. The site was never classified as an independent tourist use.

All glasshouses were cleared from the site in the 1990s and the site now comprises c2 acres of agricultural land with remaining associated buildings limited to those adjacent to the south boundary. Permission was granted in 2017 for the conversion of the former buildings in the north-east corner to a dwellinghouse, and subsequently in 2021 for the demolition of those buildings and construction of a dwellinghouse, and that part of the site now falls under separate ownership. That dwellinghouse appears to be occupied, although works are not yet complete. The buildings to the south of the site are accessed via a long track across the agricultural land and comprise a single storey timber clad structure, which forms the subject of this application, and an open sided barn.

The site is located Outside of the Centres, within an Agriculture Priority Area, in the Island Development Plan.

Relevant History:

FULL/2017/2742 Extend and alter packing shed in north-east corner of site to create new dwelling and change of use of horticultural land to domestic curtilage.
Approved 20/12/17

FULL/2018/3113 Demolish store and convert outbuilding which forms the subject of the current application into dwelling. Refused 25/11/19

FULL/2020/1468 Demolish existing packing shed (north-east of site) and erect a replacement dwelling. Approved 07/06/21

FULL/2022/0343 Convert outbuilding which forms the subject of the current application to a dwelling. Approved 07/02/2023

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

Permission is sought to demolish the existing building and store and to erect a one bed dwelling, including the change of use of an additional 300sqm of the agricultural land to the west of the existing building to domestic garden. A parking area would be formed to the east of the new dwelling and a shed installed to the south-east.

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

S1	Spatial Policy
S4	Outside of the Centres
OC1	Housing Outside of the Centres
GP1	Landscape character and open land
GP8	Design
GP9	Sustainable Development
GP15	Creation and extension of curtilage
GP16(A)	Conversion of redundant buildings
GP16(B)	Conversion of redundant buildings – Demolition and Redevelopment
IP6	Transport Infrastructure and Support Facilities
IP7	Private and Communal Car Parking

Strategy for Nature

Representations:

One letter of representation received, objecting on the following grounds:

- Change of 300sqm of agricultural land to domestic garden, resulting in loss of agricultural land;
- Once the curtilage is increased it is likely that further proposals will be received to increase the size of the house, impacting on the beautiful landscape;
- The building is a wooden shed with no services, how can it be approved as a house;

- The applicant does not live at the address given on the application form, and the current address should be provided.

La Societe Guernesiaise comment as follows:

La Societe remains concerned over the reclassification of agricultural land to domestic curtilage. However, as the Island Development Plan currently permits the consideration of such applications, we seek to optimize ecological gains in such cases wherever possible.

We acknowledge that the proposed extension is of a relatively small extent. However we would point out that the application does not include any specific biodiversity measures as required by the Planning Service.

We wish to advise that La Societe would be able to assist with matters relating to biodiversity measures, for example to arrange surveys of the existing site and to provide suitable recommendations on how the land could be enhanced in terms of its ecological value by appropriate native planting and ongoing maintenance.

Further, we would highlight that buildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby. The ongoing Bailiwick Bat Survey has shown that there are bat populations in this particular part of the island.

We would recommend that the existing buildings, in particular the roofspaces, be inspected for current or recent use by bats 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 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 appropriate 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

Consultations:

The Office for Environmental Health and Pollution Regulation comment as follows:

I have reviewed the proposed plans to demolish the existing building and store, erect a dwelling, and for the change of use from agricultural land to domestic garden at the above site. There are a number of issues of concern that I must raise.

I note that section 3e of the cover letter submitted by the agent states that air source heat pumps (ASHPs) have been reviewed as an alternative energy source for the site. No details of any ASHPs have been included within the application. Due to the potential for noise nuisance arising from such installations, I would request that this department be consulted should any future plans be submitted.

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:

- **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”

Informative/Advice Notes

With reference to condition X 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 criteria (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 the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

Summary of Issues:

Whether the proposal complies with policy.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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

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

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

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

The conversion of this building was approved 07/02/2023, under reference FULL/2022/0343. The principle of residential development at this site is therefore accepted and this decision cannot be revisited as part of the consideration of the current application.

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 proposal remains for a single one bed dwellinghouse.

The stated floor space of the approved scheme is 52m² of habitable space, with attached ancillary storage of 55m², and the volume of the habitable area of that scheme, whilst not stated in the submitted material, is calculated to be c120m³. The volume of the ancillary storage is calculated to be c130m³.

The proposed new dwelling would have a floor space of 72m², representing a 43% increase over the habitable area of the approved scheme, and a volume of c194m³, representing a 62% increase over the habitable area of the approved scheme. The scheme would however result in a reduction in both the floor space and volume when compared to the overall floor space and volume of the building which formed the subject of the conversion scheme, without considering the additional demolition of the substantial open sided barn also now proposed, at a floor area of c122m² and an estimated volume in the region of 300m³.

In this case, whilst neither the floor space nor volume of the proposed new dwelling could be considered broadly similar to the habitable area of the approved scheme, the proposed increase in area and volume would not allow for an increase to the number of bedrooms proposed, as the proposal remains for a single double

bedroom, but would allow for an enhancement to the quality of the accommodation. More significantly, the proposal would result in a substantial reduction to the overall built form at the site, accruing benefits in terms of landscape, character and openness.

On balance, and considering the above, it is concluded that the floor space and volume proposed under this application is acceptable in this case, subject to a condition requiring demolition of the existing buildings at the site prior to occupation of the proposed new dwelling.

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 is not of particular character, being of utilitarian appearance, and is set well back from the surrounding highways and, screened from public view, does not make any contribution to the character of the area.

The requirements of Policy GP8 (Design) however go further than this criterion, and require a development to achieve a good standard of design which makes an efficient and effective use of land and respects the character of the local built environment, whilst providing soft and hard landscaping where this reinforces local character and mitigates the impacts of the development. In this case, the proposed replacement building would remain of simple form and low profile, minimising any potential views from outside of the site, and would achieve a good level of design using appropriate materials. Whilst the building is re-positioned on the site, this would not result in any significant visual impacts and would result in an improved orientation to the building in respect of its sustainable design and would enhance the functionality of the site. The proposed scheme would therefore achieve a good level of design, which would not have any adverse impacts on the character of the area, in accordance with Policy GP8 (Design). Landscaping provision is addressed below.

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

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

The proposal repositions the building on site to allow for maximal sunlight, with solar gain controlled through the roof overhang, dual aspect glazing, south facing amenity space, and potential for alternative energy installation. The building construction is lineal, designed to meet or exceed the Building Regulations, and all materials are recyclable. The proposed surfacing is to be permeable.

A rainwater harvesting system forms part of the design of the building and electric vehicle charge points are proposed.

Overall, it is considered that the improvements in sustainable construction outlined within the application would be sufficient to meet the terms of this criterion and implementation can be controlled 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;

As set out above, the proposal would comprise a significant reduction in the built form at the site and the new dwelling is designed to avoid any intrusion into the landscape. In addition, the substantial established boundary treatment screens the site from any public views. The proposal would not have any adverse impacts on landscape character or openness.

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

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

The proposed dwelling and associated curtilage would be bounded by agricultural land in all directions. The nearest residential properties and associated domestic curtilages, including the new dwelling recently constructed to the north-east of the site, are set away from the application site and would not be impacted upon by the proposals.

Access, parking and extension of curtilage

Access would be retained through the existing access point to and along the existing track across the site. Parking and amenity provision is appropriate for the size of dwelling. Covered cycle storage is indicated, however it is not necessary to require implementation by condition for a development of one dwelling. The proposals would therefore accord with Policies GP8(d), IP6 (Transport Infrastructure and Support Facilities), IP7 (Private and communal car parking) and IP9 (Highway Safety, Accessibility and Capacity).

The change of use of the land to form curtilage has previously been accepted. The curtilage approved under the previous application however excluded the area to the west of the site, and the open sided barn in that location, which was to be retained in association with the agricultural use of the remainder of the site. The current application seeks to extend the approved curtilage to include this area, and proposes the demolition of the open-sided barn.

The proposed extension of curtilage is logically grouped with that previously approved, to the east of a higher area of land and within the enclosing and established line of mature vegetation. The proposal would not therefore result in

any additional impacts on landscape character or openness, nor would it result in the loss of any established boundary treatments.

It was demonstrated under the previous application that the land in this particular area could not easily be used for agriculture. Whilst the open sided barn was previously to be retained for agricultural use, its condition has subsequently deteriorated and it is now in a dangerous state. The barn could no longer be used for agricultural purposes and, given the limited size of the adjacent agricultural land, it is contended that there is no requirement for a building of this size or design (being double height with no secure storage) in association with the use of that land.

A robust landscaping scheme was approved under the previous application, including additional tree and other planting and provision of bird/bat boxes, to address the requirements of the Strategy for Nature. The landscaping initially proposed under the current application comprised a significant reduction from that previously approved and the application was deferred for amendments. In response an existing biodiversity plan was received. Whilst it is acknowledged that the site boundaries are already formed by established vegetation, the fact that there are good levels of existing planting does not address the requirement for enhancements to be provided to offset the change of use of the land. Clearance of the rock face resulting from removal of the open-sided barn was stated to provide significant biodiversity gains, and the area of the barn was noted to be planted, although this was identified as lawn on the submitted plans which would be of limited biodiversity value. Reference is made to the management of the adjacent field, but no details provided and this does not form part of the application site. Cumulatively, it was not therefore considered that these elements matched or exceeded the enhancements previously approved. Following further deferral, an area of “wildflower pockets” was indicated along the south and west boundaries of the proposed curtilage, no further additions are discernible on the submitted plan. The supporting letter refers to:

- Retained and added to north boundary;
- Retained and added to west boundary;
- Several specifically placed native trees to create a corridor; and
- A managed yet wilded east;
- Detailed shrub and tree planting generally;
- No additional requirement for birds and bats, this being provided for within established vegetation and the exposed rock face;
- The exposed rock face; and
- SUDS designated surfaced areas.

It is however difficult to identify these elements on the submitted plans. Given that the application has been deferred twice, and the covering letter refers to appropriate enhancements, it is considered in this case that provision of a more robust landscaping could be required by condition. Such a landscaping scheme should however clearly address the following:

- Details of all new tree and shrub planting. In particular new trees should be provided towards the west of the site, unless it is demonstrated that this is not possible, and appropriate native planting should be undertaken along the east boundary. Trees should be arranged informally as opposed to forming a corridor;
- Details of the areas, nature and management of the wildflower planting.

The biodiversity enhancements proposed are still considered to remain poor, however it is now recommended that this matter be dealt with by planning condition, including a requirement for additional tree planting, potentially either in the western part of the curtilage or along the east boundary.

Accessibility, adaptability and waste management

The accommodation is arranged over a single storey, with level thresholds, being accessible for all users, and the lineal internal spaces are easily adaptable to suit any future changes in occupier needs, in accordance with Policy GP8 (f)&(g).

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

Other matters

A revised application form has been provided amending the Applicant's address. This is not however considered to comprise a change which requires re-advertising of the application.

Conclusion

On balance, subject to the conditions outlined above, the proposal is considered to accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 02/12/2024

