

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 replacement dwelling and associated works, alterations to access track.

LOCATION: Chestnut Hollow, La Rue Des Pages, Forest.

APPLICANT: Mr K Laker & Ms W Doyle

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: 22/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects: 3871/PL01, /PL02, /PL03, /PL04 & /PL05.

Application Ref: FULL/2024/1279

Property Ref: H005550000

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. 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 22/10/2027 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/2024/1279
Property Ref: H005550000
Valid date: 30/07/2024
Location: Chestnut Hollow La Rue Des Pages Forest Guernsey GY4 6UL
Proposal: Demolish existing dwelling, erect replacement dwelling and associated works, alterations to access track.

Applicant: K Laker & Ms W Doyle

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).

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 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.

OFFICER'S REPORT

Brief Description of the site:

The site is located to the north west of Petit Bot Bay, accessed by a unmade track from La Rue Des Pages. The existing dwelling is a simple, single storey design and is located in an elevated position, enclosed by the surrounding hill slopes and woodland.

The site is located Outside the Centre as designated in the Island Development Plane (IDP) and is accessed through the Site of Special Significance (SSS) which runs to the south and west of the application site.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

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:

GP1- Landscape Character

GP8 – Design

GP9- Sustainable Development

GP13- Householder Development

Conclusion/Brief comment:

This application seeks to demolish the existing dwelling and erect a replacement dwelling, with associated works and alterations to the existing access track.

The principle of demolition and rebuild of existing dwellings is supported under Policy GP13. In this case, the existing dwelling is of a relatively small scale, single storey, simple design and the proposed replacement dwelling is of increased footprint, height, bulk and massing, relative to the existing, however the building is similarly positioned on the site and the use of good quality materials and modern, yet traditional scale and form provides a high standard of design. Whilst the site is positioned high on the southern slope down to Petit Bot, it is not prominently located or visible in either short views from Rue des Pages or long views from the south, as it is read amongst and against the surrounding hillside and woodland. The proposed replacement dwelling would therefore not have a significant impact in those views, or on the openness of the area. Policy allows for an increase in the size of a dwelling, and a contemporary approach to design, where there would be no adverse impacts on character or openness.

The proposed accommodation incorporates sleeping accommodation at ground floor level, with living accommodation at first floor. The main access to the dwelling is at first floor level, using external steps to the rear, although secondary access is possible at ground floor through the attached workshop. The ground floor provides appropriate circulation space for wheelchair access, with future scope for the introduction of a lift and/or ground floor kitchen should it be necessary. The proposed accommodation would therefore be accessible and flexible.

The proposal would have no adverse impacts on the amenity of nearby residential properties due to the separation distances involved of approx. 62m to the nearest dwelling, coupled with the dense woodland surrounding and hillside location.

The proposed re-alignment of the access track to avoid the existing narrow section between two mature trees would enhance the functionality of the access without adverse impacts on character or amenity. The surface proposed is hoggin which matches the existing and is permeable.

The proposal also includes re-grading the existing bank to the southwest of the frontage, lowering the bank by approx. 2.5m at the area closest to the dwelling to provide a flatter area of grass adjacent to the dwelling. The cut from this section will be used to fill and regrade the bank to the east of the dwelling. Alterations to land levels to the rear of the site involve pushing the existing parking area further north, lowering land levels by approx. 1m and erecting a new 1m high wall to the northern boundary of the car parking.

Whilst not specifically referenced, there would be potential for cycle storage within the workshop or existing shed, and it is not considered necessary to condition this provision.

There is limited provision of additional soft landscaping, however the proposal is for a replacement dwelling on a one-for-one basis, on a similar footprint, and, in this instance, the impacts of the proposal are not such that a specific landscaping scheme is required.

Confirmation has been received that the proposed development has been designed to exceed the Guernsey Technical Standards L1 of the Building Regulations, for thermal efficiency and air tightness and will be closely supervised during construction to maximise performance. The proposed works are to be constructed mainly in timber using sustainably sourced materials, and this is in accordance with Policy GP9 (Sustainable Development).

A simple Site Waste Management Plan has been provided which is adequate to address the requirements of policy, the implementation of which can be controlled by condition.

The site is not located within the Site of Special Significance, and the requirements of Policy GP2 would not therefore apply. The dwelling and all works are set away from the designated land, the proposals are however unlikely to have any significant impacts on that land.

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: 21/10/2024

