

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 glasshouse and outbuilding, subdivide, extend and alter existing dwelling to create 2 dwellings and associated works and alter vehicle access.

LOCATION: Glenroyd, La Biloterie Road, St. Saviour.

APPLICANT: Mr P & Mrs J Duquemin

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: 24/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A 7 Design - 23-1512 PD/01A, 02, 03A & 04B.

Application Ref: FULL/2024/1374

Property Ref: E008060000

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. Within six weeks of the new access being brought into use, the end of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

5. The hedges located to the south western corner of the site on the western (side) and southern (front) boundary of the application site shall be retained and maintained at a height no lower than 1 metres. Any part of the hedge removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants of such size and species as previously agreed in writing by the Authority, within one year of the date of any such loss.

Reason - The hedges are important features in the area and retention is necessary to help assimilate the development into its surroundings.

6. 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

Reason - To ensure potential land contamination is addressed and ensure that the site, when developed is free from contamination, in the interests of public health and safety.

Expiry Date: This permission will cease to have effect on 24/10/2027 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/2024/1374
Property Ref: E008060000
Valid date: 19/08/2024
Location: Glenroyd La Biloterie Road St. Saviour Guernsey GY7 9QY
Proposal: Demolish glasshouse and outbuilding, subdivide, extend and alter existing dwelling to create 2 dwellings and associated works and alter vehicle access.

Applicant: Mr P & Mrs J Duquemin

RECOMMENDATION - Grant: Planning Permission with Conditions:

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- 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 ensure potential land contamination is addressed and ensure that the site, when developed is free from contamination, in the interests of public health and safety.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached property situated to the north of La Biloterie Road, St. Saviour. Surrounding the site, the area comprises residential properties to the north, south, east and west.

The site is situated Outside of the Centres as designated in the Island Development Plan.

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



Consultations:

The Office of Environmental Health and Pollution Regulation have commented on the application and the potential for land contamination. A comprehensive condition and accompanying informative have been recommended to address the risk.

Policies considered most relevant:

OC1: Housing Outside of the Centres

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 OC1 makes provision for the subdivision of a dwelling into two or more self-contained units and provides a gateway for the proposal. The scheme must demonstrate how the development is compatible with the character and amenities of the area, provide a satisfactory living environment for occupiers and should not include more than a modest extension.

The locality is characterised by residential development predominantly composed of bungalows and chalets to the northern side of the road particularly. A shared access driveway runs along the eastern side of the property, which appears to serve the dwellings to the side and rear.

The introduction of an additional dwelling through the subdivision of Glenroyd would not be out of character or incompatible with surrounding uses in line with the aims of Policy OC1. The subdivision of a large dwelling into two smaller, 2 bedroom dwellings also represents efficient and effective use of land/buildings by making better use of an existing dwelling.

Extensions are proposed in the form of a single storey rear extension to each proposed unit. The extensions measure 4.1m by 3.5m and is 4.3m high with a pitched roof and gable design and provide additional living accommodation. A porch is also proposed to Unit A, and measures 3.5m by 1.7m and has a lean to roof approx. 2.4m in height.

These extensions equate to total additions of approx. 27sqm which is less than 20% of the existing floor area, and do not form significant parts of the new dwellings, on this basis they are considered appropriate in terms of Policy OC1.

External alterations are proposed in the replacement of the hipped roof with a gable frontage in the south elevation, above Bedroom 1 of Unit B. The application also proposes the removal of the existing dormers and the addition of a rooflight to the front of the building to serve the existing first floor accommodation. Rooflights are also proposed along the west elevation which serve the ground floor rooms of Unit A.

The subdivision of the plot also requires the erection of a new 1.2m boundary wall to divide the frontage, and the loss of part of the existing boundary wall to the eastern boundary to allow for the creation of car parking within the front of the site. A 1.1m continuation of the existing boundary wall is also proposed along the side of the dwelling along the shared access driveway. A 1.8m high fence is proposed to

subdivide the rear garden and associated internal works are also proposed to divide the dwelling.

The external alterations as proposed are in-keeping with the host dwellings and would not cause harm to the character or appearance of the surrounding area in accordance with the aims of Policy GP8: Design.

The external alterations and subdivision of the dwelling will not result in an unacceptable increase in the potential for overlooking and loss of privacy to surrounding occupiers. The removal of the dormer prevents the ability of Unit A to overlook the rear gardens of Unit B and the replacement rooflight to the front will not allow harmful overlooking due to the orientation facing the road and the less sensitive front gardens of the properties opposite.

Unit B is on a single level and is therefore able to provide level access to and within the building for people of all ages and abilities. Unit A is set over two floors; however, the ground floor is set at a single level, with ground floor bedroom, and able to offer accessible accommodation. The scheme therefore accords with Policy GP8 in this respect.

The layout of accommodation is such that that both properties benefit from adequate sunlight and daylight, along with dual outlook. The subdivision of the plot and layout of the rear extension with bifolding doors to the rear elevation provides views over each separate private garden area. Both of the garden areas to the rear of the dwellings have been appropriately screened to ensure sufficient private amenity space is provided for each dwelling. Both units also benefit from a small amenity space to the front of the property.

Overall therefore, the scheme would provide a satisfactory living environment for the occupiers of both dwellings proposed and accords with Policies OC1 and GP8 of the IDP.

The site is located Outside of the Centres where development is generally of lower density and there tends to be less pressure for development and less congestion caused by it. Car parking requirements for a site such as this are assessed on a case by case basis. The parking has been arranged as proposed to avoid the parking of vehicles directly in front of the main windows of either unit to limit the impact of vehicles accessing and leaving the site, on the occupiers. Furthermore, the car parking proposed allows for cars to turn onsite and prevent the need to reverse into the road.

The increase in hard surfacing to the frontage is regrettable, however there are similar examples of parking within the front garden in the immediate vicinity and the existing landscaping is shown to be retained. A condition will ensure this, and its retention will help soften the visual impact.

The subdivision of the site will not result in the unacceptable intensification of the use of accesses at the site nor have an adverse impact on the local road network in accordance with Policies IP7 and IP9 of the IDP.

Two sheds are proposed within each garden area to provide secure and sheltered cycle parking in line with Policy IP6.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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.

In view of the above, it is recommended planning permission is granted for the development proposed.

Recommendation:

Grant with Conditions



Date: 23/10/2024

