

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 with associated works, infill existing vehicle access and relocate vehicle access to south boundary.

LOCATION: L'Ouest Rocheux, Vielle Rue, St. Saviour.

APPLICANT: Mr A & Mrs C Pickering

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: 11/11/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects - 1260_6A, 7A, 8, 9, 10, 11A, 12A, 14, 19A & Sustainability Statement

Application Ref: FULL/2024/1415

Property Ref: E00984A000

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 four weeks of the new access being brought into use, the ends 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.No development shall begin on site until precise details of the 'green roof', including drawings showing the method of construction, details of the plant species to be used and a plan for its management and maintenance, have been submitted to and agreed in writing by the Authority.

Reason - The inclusion of a 'green roof' is an integral part of the design concept for the development hereby permitted. Its provision is essential to secure the satisfactory appearance of the completed development and in accordance with Policy GP8 and GP9.

6.No occupation of the new dwelling shall begin until the 'green roof' has been completed in accordance with the details agreed under the above condition. It shall then be maintained in accordance with the management and maintenance plan agreed under the above condition.

Reason - The inclusion of a 'green roof' is an integral part of the design concept for the development hereby permitted. Its satisfactory maintenance is essential to secure the satisfactory appearance of the completed development, and in accordance with Policy GP8 and GP9.

7.No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development, in accordance with Policy GP8.

8.The dwelling hereby approved shall not be occupied until the sustainable design features, including rainwater recycling, as set out in DLM's Sustainability Checklist (dated stamped 15/08/2024) have been installed/completed/made operational.

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

9.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 11/11/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that in view of the near proximity of one of the four Mirus Battery gun emplacements, and other German works associated with this Battery, it is not impossible that some unrecorded German positions lie within this land parcel. The developers are therefore requested to please contact the States Archaeologist if any such structures are uncovered.

The applicant should be aware that it is a requirement of the Office for Environmental Health and Pollution Regulation that any mobile crusher used at the site must be covered by a valid Air Pollution Licence. As part of the licence conditions, that Office must be notified prior to any crushing activity.

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/2024/1415
Property Ref: E00984A000
Valid date: 22/08/2024
Location: L'Ouest Rocheux Vielle Rue St. Saviour Guernsey GY7 9NQ
Proposal: Demolish existing dwelling, erect replacement dwelling with associated works, infill existing vehicle access and relocate vehicle access to south boundary.

Applicant: Mr A & Mrs C Pickering

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.

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4. Within four weeks of the new access being brought into use, the ends 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.

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Reason - The inclusion of a 'green roof' is an integral part of the design concept for the development hereby permitted. Its provision is essential to secure the satisfactory appearance of the completed development and in accordance with Policy GP8 and GP9.

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

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originally submitted, the report shall highlight and detail the reasons for this.

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INFORMATIVES

The applicant is advised that in view of the near proximity of one of the four Mirus Battery gun emplacements, and other German works associated with this Battery, it is not impossible that some unrecorded German positions lie within this land parcel. The developers are therefore requested to please contact the States Archaeologist if any such structures are uncovered.

The applicant should be aware that it is a requirement of the Office for Environmental Health and Pollution Regulation that any mobile crusher used at the site must be covered by a valid Air Pollution Licence. As part of the licence conditions, that Office must be notified prior to any crushing activity.

OFFICER'S REPORT

Brief Description of the site:

The site is located adjacent to the junction of Vielle Rue and Rue des Cinq Verges, St Sampson, to the west of the reservoir. Land levels rise gently across the site from west to east by approx. 1m across the whole site, meaning the existing house is elevated approx. 0.5m above the road level.

L'Ouest Rocheux is a chalet bungalow with detached garage. The proposal is to replace this with a single storey, three-bedroom, contemporary dwelling with an attached garage to the rear. In addition, the existing vehicular access is to be closed and relocated to the southeastern corner of the site.

The site is located within the Agriculture Priority Area and Outside the Centre, as designated in the IDP.

Relevant History:

None for L'Ouest Rocheux

Neighbouring site to north- Treloar

FULL/2024/1039- Erect roadside wall along western boundary of Treloar. Erect roadside wall (west) and remove hedge, erect wall to east boundary of L'Ouest Rocheux

FULL/2023/0079- Demolish dwelling, erect replacement dwelling, infill existing and relocate vehicle access with associated landscaping and parking.

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 alterations to the vehicular access.

The proposal is acceptable in relation to Policy GP13 as it provides a replacement dwelling on a one for one basis, within the existing residential curtilage.

The impact on neighbours is not considered to be significant or harmful due to the separation distances, single storey design and orientation. The dwelling to the east, La Flaquaie, is approx. 13m from the eastern corner of the proposed dwelling. As the neighbour is set further back than the proposed dwelling, and the design of the replacement dwelling is single storey, this relationship is considered acceptable. The replacement dwelling to the north, which is currently under construction, is set approx. 30m away, and there are no residential properties directly to the west or south.

The design, scale, mass and form of the development is considered appropriate for the setting. Despite a considerable increase in the spread of the built form on the site, the single storey flat roof design, largely utilising a green roof, minimises the

visual impact. It is therefore considered that the proposal will not appear incongruous in the relatively open landscape setting. The proposed contemporary design and use of quality materials achieves a good standard of architectural design. The proposal is therefore in accordance with Policies GP13, GP9 and GP1.

The proposed revised access relocates the opening to the existing granite roadside wall to the southeastern corner, providing a approx. 7m wide access which is appropriate given the narrow width of the road at this point. This achieves an improvement on the existing sight lines and retains the character provided by the low natural granite wall. A condition has been applied to ensure this is completed in a timely manner.

Permeable paving has been proposed for the driveway and external parking areas, this will be secured by condition to ensure that no excess water discharges onto the highway due to the elevation of the site, and that all surface water is dealt with within the application site. The design also includes passive design methods to reduce energy consumption and orientation to promote solar gains in the winter, heavy insulation to ensure thermal efficiency, exceeding Building Control requirements, with rainwater recycling and attenuation. The installation of a green roof is welcomed through Policy GP9, and further details of this will also be requested by condition to ensure its proper installation and maintenance.

A 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. An informative note has been applied to advise the applicants that they will need to notify the Office for Environmental Health and Pollution Regulation prior to any crushing onsite.

For the reasons above the proposal is acceptable in terms of GP1, GP8 and GP13, and approval is recommended. All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 11/11/2024

