

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 building, erect dwelling, pergola and associated works, create pedestrian access, alter existing vehicle access and erect gate to east boundary.

LOCATION: Cobo Rocks, (Formerly Shoreline), Cobo Coast Road, Castel.

APPLICANT: Mrs M Ashdown

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: 09/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton - 2434 03.01A, 03.02, 03.03A, 03.04A, 03.05 & 03.10.

Application Ref: FULL/2024/1557

Property Ref: D01310B000

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 existing roadside boundary treatment being removed, the replacement wall hereby approved shall be fully completed and any disturbance to the adjacent highway shall be made good.

Reason - To secure the satisfactory appearance of the completed development within a defined timeframe.

5.Prior to installation, full details of the solar tiles and panels shall be submitted to and approved in writing by the Authority. Prior to occupation of the dwelling hereby approved, the tiles and panels shall be installed and made operational and all other sustainable design features set out in the Strategic Planning & Property Ltd letter dated 22/08/2024 shall be implemented.

Reason - In the interests of sustainable development.

6.Prior to the undertaking of any landscaping, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all hard surfaced areas, including a specification of laying;
- ii) full details of tree and hedge planting, including planting schedules, noting the species, sizes, numbers and densities of plants.

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

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

8. 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 09/01/2028 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/2024/1557
Property Ref: D01310B000
Valid date: 01/10/2024
Location: Cobo Rocks (Formerly Shoreline) Cobo Coast Road Castel Guernsey GY5 7HE
Proposal: Demolish building, erect dwelling, pergola and associated works, create pedestrian access, alter existing vehicle access and erect gate to east boundary.
Applicant: Mrs M Ashdown

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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

Site Description:

The application site comprises a former garage building which has been converted into a dwellinghouse and the associated land, located to the west of and with access from Rue des Corneilles. The site falls within the same ownership as the dwellinghouse to the north, which has been recently reconstructed in accordance with FULL/2020/0832.

The site is bounded by residential properties to the west and south, and across the road to the east.

The site is located Outside of the Centres in the Island Development Plan.

Relevant History:

Planning

FULL/2020/0832 Permission granted for a revised scheme to demolish existing and erect replacement dwelling, erect garage/workshop/plant room, widen existing vehicular access and install fencing. Granted 10/08/20

FULL/2020/1123 Remove hedge and construct wall and bank to north-east boundary. Granted 10/08/2020

FULL/2022/0144 Convert garage/outbuilding to a dwelling. Granted 19/10/2022

FULL/2023/0158 Infill existing vehicle access, raise boundary wall (retrospective) and install gated access. Granted 03/03/2023

Building Control

FP/2023/0061 Convert garage to dwelling. Grant of Building Licence 23/03/2023

Inspection notes 05/06/2024 confirm building works are now complete.

Existing Use(s):

Dwellinghouse – Residential Use Class 1

The permission issued under FULL/2022/0144 has been implemented to a point at which the building is now recognised as a dwellinghouse.

Brief Description of Development:

Permission is sought to demolish the existing dwelling and to construct a 3 bed 1.5 storey dwellinghouse with a T-shaped footprint, re-positioned on the site. The proposal includes alterations to the vehicular access, increasing the width of the access to 5.35m and replacing the roadside wall with a 900mm wall and hedging, creation of a pedestrian access, laying of hardsurfacing and the erection of a pergola.

A Site Waste Management Plan has been submitted in support of the application.

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

GP8	Design
GP9	Sustainable Development
GP13	Householder Development
IP6	Transport Infrastructure and Support Facilities
IP7	Private and communal car parking
IP9	Highway Safety, Accessibility and Capacity

Representations:

None received.

Consultations:

None undertaken.

Summary of Issues:

Whether the building comprises a dwellinghouse;
Impacts on the character of the area;
Impacts on neighbour amenity;
Impacts on road safety.

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).**

It is accepted that the building at this site is a dwellinghouse and the principle of demolition and rebuild of existing dwellings is supported under Plan policy, with

provision for relocation of the built form and alterations to the scale, form and design.

In this case, the existing dwelling is a single storey pitched roof structure of low profile, set back on the site towards the west boundary. Due to the position on the site, low profile and high boundary treatments, the existing building is of limited visibility within the surrounding area. The replacement dwelling proposed under this application is of substantially greater scale, and would be positioned forward on the site. Whilst still screened in longer views from the Rue des Corneilles to the south-east, the new dwelling will be visible from that road in views from immediately to the south-east of the site, east and north-east as well as from along part of Les Cherfs Estate access road. The dwelling may also be visible in longer views from the common land to the north.

Development in this area predominantly dates from the 1960s and 70s, with extensions and alterations undertaken in subsequent years. A limited number of dwellings, notably those to the north and north-west of the application site, have been replaced recently with substantial contemporary dwellings. The scale, form, design and materials proposed for the new dwelling in this case would be compatible with the built form in the area. Whilst the proposal would re-position the built form forward on the site, there is no uniform building line to the west of Rue des Corneilles and the new dwelling will generally be read against and amongst the surrounding development. Overall, the new dwelling would not significantly impact on the character of the area.

The proposed accommodation incorporates living, sleeping and bathing accommodation at ground floor level, provides appropriate circulation space and level access with potential for future lift installation with two further bedrooms and bathrooms proposed at first floor level. The size and layout of the accommodation offers adaptability. The proposed accommodation would be accessible, adaptable and flexible.

The proposed parking is generous for the size of dwelling proposed, with potential for 4 covered spaces and additional parking on the driveway, although any such parking would be likely to impede access to the covered spaces. It is however noted that the maximum parking standards do not apply in this location and policy allows for flexibility in respect of householder development.

The proposed alterations to the site access would facilitate safe access and egress from the site, taking into account the narrow width of the adjacent lane. The construction of a low granite wall along the roadside, with planting behind, replacing the existing boundary treatment would not have any adverse impacts on the character of the area. The large-scale detail provided shows the wall to be constructed along the site boundary, which should not therefore give rise to any unmade private land along the outer edge of the wall.

There is scope for cycle storage within the proposed garage and it is not considered necessary to condition this provision.

Limited additional soft landscaping is proposed as part of this application, around the property boundaries, however there is limited existing provision at the site and that proposed would be acceptable in terms of ameliorating the development in this case. Details and implementation of the landscaping can be controlled by condition.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and the current Building Regulations, solar tiles are proposed to the south facing roof slope and panels to the flat roof and electric charge points within the garage. Surfacing to the driveway and parking areas is proposed to be permeable, allowing management of surface water runoff on site. Implementation of these elements can be controlled by condition and the proposal would therefore be in accordance with Policy GP9 (Sustainable Development).

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

The two storey elements of the proposed new dwelling would be set away from the south and west boundaries of the property, limiting any potential impacts on the adjoining properties in those directions in terms of overbearing or overshadowing. First floor fenestration in the south elevation would be located a minimum of 13m from the south boundary, and taking into account that distance, together with the nature of the boundary treatment and arrangement of the adjacent property, it is not considered that the proposal would give rise to significant overlooking in that direction. As initially submitted, the proposals included one first floor window to the west elevation serving the master bedroom, however following deferral this has been omitted. The rooflight over the stairwell would not give rise to any overlooking.

As noted above, the new dwelling would be positioned along the north boundary of the site and would therefore be likely to give rise to some shading of the adjacent property in that direction. It is however noted that the adjacent property falls within the same ownership as the application site and, taking into account the position of that dwelling on that site and the size of the associated amenity space, any overshadowing impacts would not warrant refusal of the application. Three rooflights are proposed in the north roofslope, serving bathrooms and a bedroom. Following deferral, it has been confirmed that the cill height of those rooflights would be 1600mm above finished first floor level and would not therefore give rise to any overlooking.

The property to the east is located on the opposite side of Rue des Corneilles, and the property frontage is open to views from that road. Taking this into account, together with the distance between the new dwelling and the property boundary,

the two windows proposed at first floor level in the east elevation would not give rise to any significant overlooking.

Overall, the proposal would have no adverse impacts on the amenity of nearby residential properties.

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. The proposals accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended, subject to the conditions set out above.

Date: 08/01/2025

