

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 and erect dwelling with associated works (Revised)

LOCATION: Laleur, Rue Du Belle, Torteval.

APPLICANT: Mr & Mrs T Snell

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: 21/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design: 24-1549-P2/PD/01B, PD/02A & letters dated 15/11/2024 & 11/02/2025.
Tree Dimensions Landscape proposals dated 08/06/2024

Application Ref: FULL/2024/1942

Property Ref: G003340000+G001590000

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.No occupation of the dwelling hereby permitted shall begin until a scheme for the treatment of the east boundary of the curtilage and details of the construction of the earth bank along the west boundary of the curtilage of the new dwelling has been submitted to and agreed in writing by the Authority and the agreed scheme for boundary treatment has been fully completed.

Reason - In the interests of visual amenity and to protect the reasonable amenities of neighbouring residents.

5.The landscaping scheme shall be fully completed, in accordance with the Tree Dimensions Landscape proposals dated 08/06/2024 and plan number 24-1549-P2/PD/01B, in the first planting season following the first occupation of the dwelling hereby permitted 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 - In the interests of visual amenity and biodiversity.

6.The development shall not be occupied until the stated U-values have been achieved and the triple glazing, electric car charging point and all other sustainable design features set out in the A7 Design letters dated 15/11/2024 and as revised and updated in the letter dated 11/02/2025 have been installed/completed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP16(B).

7.The replacement dwelling hereby approved shall not be occupied until the field access to the land to the north has been completed in accordance with the approved plans and made available for use.

Reason - To ensure that an independent access is retained to the agricultural land to the north.

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 21/02/2028 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/2024/1942
Property Ref: G003340000+G001590000
Valid date: 26/11/2024
Location: Laleur Rue Du Belle Torteval Guernsey GY8 0LN
Proposal: Demolish building and erect dwelling with associated works
(Revised)

Applicant: Mr & Mrs T Snell

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. No occupation of the dwelling hereby permitted shall begin until a scheme for the treatment of the east boundary of the curtilage and details of the construction of the earth bank along the west boundary of the curtilage of the new dwelling has been submitted to and agreed in writing by the Authority and the agreed scheme for boundary treatment has been fully completed.

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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 GP16(B).

7. The replacement dwelling hereby approved shall not be occupied until the field access to the land to the north has been completed in accordance with the approved plans and made available for use.

Reason - To ensure that an independent access is retained to the agricultural land to the north.

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.

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OFFICER’S REPORT

Brief Description of the site:

Planning permission is requested to demolish the existing building and erect a 1 bedroom flat roof dwelling. The dwelling is proposed to be finished with a mix of rendered, timber and stone clad walls, dark grey aluminium fenestration and a grey GRP flat roof.

The site is a former horticultural site which was cleared of glass between 2013 and 2016 and now comprises of a pitched roof packing shed along the east boundary accessed by a gravelled driveway with the remaining land comprising of an open field. The site is bounded to the east, south and partly to the west by neighbouring residential properties and a parcel of agricultural land under the same ownership to the north. The eastern section of the site including the packing shed and part of the gravelled driveway is within a Conservation Area, the whole of the site is Outside of the Centres.

Relevant History:

19/09/2024 – FULL/2024/1295 – Permission granted to convert, extend and alter building to create dwelling and associated works.

Existing Use(s):

Agriculture use class 28

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:

Policy OC1: Housing Outside of the Centres

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP4: Conservation Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP15: Creation and Extension of Curtilage

Policy GP16(A): Conversion of Redundant Buildings

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

Planning permission was granted to convert and extend the packing shed to form a dwelling in September 2024 (FULL/2024/1295). As a result of this previous permission, Policy GP16(B) makes provision for the demolition and redevelopment of the previously approved dwelling to be considered.

The approved conversion comprised of 40sqm at ground floor level and 23sqm at first floor level which exceeded a head height of 1.5m. The approved conversion scheme proposed a paddle space saver staircase to serve the first floor which would have limited the usability of the 1st floor for habitable purposes. However, an alternative internal layout could have included a standard stairs to serve the first floor and it is noted that rooflights could have been installed to enable the entire first floor to be used for habitable purposes. As a result, it is accepted that the floor area of the approved conversion scheme can include both the ground floor and first floor areas. On this basis, the increase in the floor space and volume of the proposed dwelling does not exceed a 20% increase and the redeveloped scheme is broadly the same floor space and volume as the approved conversion scheme.

The existing building is of no particular architectural merit and it does not make a positive contribution to the character of the area. The agent advises that the new dwelling will exceed current Guernsey Technical Standards thermal U-values for the ground floor, walls and roof (with proposed thermal standards stated), with the stated values achieving a 20% thermal efficiency gain above current standards. In addition it is advised that areas of glazing have been concentrated on the south and west elevations to benefit from solar gain, with no glazing to the east and triple glazing to the north. An electric car charging point is also proposed. The application is accompanied by a Waste Management Plan. The information submitted is sufficient to demonstrate that the proposed dwelling would be constructed to significantly enhance its sustainable design.

The repositioned dwelling would remain reasonably well related to the built development on the adjoining properties to the east. By virtue of its single storey flat roof design and relatively modest footprint, the new building would not be prominent in public views and it would conserve the character and appearance of the Conservation Area. The proposed realignment to the domestic curtilage would not increase the total area of domestic land and would continue to in effect round off the existing adjoining built development to the east, whilst retaining the openness and landscape character of the site as a whole. As a result, the repositioned dwelling and realignment of the proposed domestic curtilage would not have any unacceptable impacts on the landscape character and openness of the area.

Repositioning the dwelling away from the east boundary would reduce the impact on the amenities of neighbouring residents. The proposal accords with Policy GP16(B).

The proposed dwelling would exceed minimum internal space standards as set out under the Building Regulations and the best practice minimum internal space standards which are published on the Authority's website. The dwelling would have good daylight and privacy and would benefit from a generous provision of outdoor space and an attractive outlook over open land. The proposed dwelling would provide a good living environment.

The application is accompanied by a Landscape proposal. The measures proposed including the creation of an earth bank planted with a mixed hedge along the west boundary of the domestic land, tree planting, the creation of a pollinator patch and the creation of an area of amenity planting will provide proportionate biodiversity enhancements, taking into account the size of the area of land involved.

The relocated access to serve the adjoining agricultural land to the north remains adequate and it is recommended that a planning condition is applied to ensure the works are undertaken.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 17/02/2025

