

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: Variation to previously approved plans to demolish and erect dwelling with associated garden and parking - Revised building footprint and position, install brise soleil, alter materials, chimney and alterations to fenestration (all elevations).

LOCATION: La Comète, Les Abreuveurs Road, St. Sampson.

APPLICANT: Mr & Mrs A Whitmore

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: 14/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 7869-01 B1 and B2

Application Ref: FULL/2024/2033

Property Ref: B01457B000

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 on or before 25/01/2025.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 26/01/2022, issued under planning application reference FULL/2021/2071, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 25/01/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With regard to condition 7 of the original permission, FULL/2021/2071 which requires a landscaping scheme to be agreed by the Development & Planning Authority, the landscaping scheme must seek to ensure that there is no a reduction in the overall level of biodiversity enhancements from the approved scheme, including Biodiversity Statement, resulting from the approved changes to the siting of the approved dwelling.

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/2024/2033
Property Ref: B01457B000
Valid date: 06/12/2024
Location: La Comète Les Abreuveurs Road St. Sampson Guernsey
GY2 4XB
Proposal: Variation to previously approved plans to demolish and erect dwelling with associated garden and parking - Revised building footprint and position, install brise soleil, alter materials, chimney and alterations to fenestration (all elevations).
Applicant: Mr & Mrs A Whitmore

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 on or before 25/01/2025.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 26/01/2022, issued under planning application reference FULL/2021/2071, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

INFORMATIVES

With regard to condition 7 of the original permission, FULL/2021/2071 which requires a landscaping scheme to be agreed by the Development & Planning Authority, the landscaping scheme must seek to ensure that there is no a reduction in the overall level of biodiversity enhancements from the approved scheme, including Biodiversity Statement, resulting from the approved changes to the siting of the approved dwelling.

OFFICER'S REPORT

Brief Description of the site:

The site is set away from nearby public highways, bounded by agricultural land to the north and south, the Capelles school playing field to the east and a residential property to the west. The application site and adjacent stables are currently accessed over a track from La Route des Capelles from the east, however there is no formal right of way over that track. A second access track is approved across fields from Les Abreuveurs Road to the south.

The site comprises a former packing shed and associated glasshouse, an area of hardstanding and a field.

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

Permission has been granted to demolish the existing packing shed and the erection of a detached, single-storey flat roof dwelling on piles/stilts in the area of the previously approved conversion scheme. The adjoining glasshouse is shown to be demolished and an earthbank created to the north of the dwelling separating the domestic garden from retained agricultural land.

This application relates to a variation to the previously approved scheme in order to adjust the position of the building and its footprint (slightly longer and narrower than approved), changes to external materials (from timber cladding to brickwork), fenestration and chimney stack along with the inclusion of a brise soleil to the south, west and north elevations (aluminium and timber). Changes to the site landscaping are also required as a result of the proposed changes. The proposed changes result in the dwelling being reduced from a two bedroom property to a one bedroom dwelling.

Relevant History:

FULL/2013/1247 – create a sand school – granted

FULL/2016/0245 - Create access track through field – granted

FULL/2019/1478 - Convert packing shed to dwelling with associated landscaping and parking. Demolish section of building to west and erect porch to east elevation - granted

FULL/2021/2071 - Demolish outbuilding and erect dwelling with associated garden and parking – granted expires 25/01/2025

FULL/2024/1467 – Variation to previously approved plans to demolish outbuilding and erect dwelling with associated garden and parking - Relocate/rotate dwelling by 90 degrees – granted

Existing Use(s):

28 agriculture (permission granted for a dwelling (residential use class 01))

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:

OC1: Housing Outside of the Centres

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

OC7: Redundant glasshouse sites Outside of the Centres

GP1: Landscape Character and Open Land

GP8: Design

GP9: Sustainable Development

GP15: Creation and Extension of Curtilage

GP16(A): Conversion of Redundant Buildings

GP16(B): Conversion of Redundant Buildings – Demolition and Redevelopment

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The principle of the construction of a dwelling on the site has previously been established and will not be revisited as part of the assessment of this application.

It remains the case that the dwelling would be located on the southern part of the site, well related to the established buildings to the southeast and the site is well screened in public views. The proposed amendments would not impact on the openness in those views and the openness of the area will be maintained.

The submission sets out that the changes to the footprint of the building would result in the floorspace and volume being slightly smaller than the previously approved scheme. The section drawing also shows that the brise soleil has a slatted, not solid, roof and so does not contribute to the floorspace of the proposed development. The scheme as amended therefore, remains in accordance with this aspect of Policy GP16(B).

The dwelling with amendments represents a good standard of architectural design that respects the local built environment and will not result in overshadowing, loss of sunlight/daylight or overlooking of any adjoining dwelling and therefore satisfactorily considers the health and well-being of neighbours of the development.

There are no changes that would impact on internal space provision, access for all and other amenity considerations having regard to Policy GP8 and Annex I of the IDP. The scheme also addresses GP16(B) and GP9 in relation to sustainable design.

The matter of landscaping is the subject of a separate planning condition attached to application reference FULL/2021/2071. The revisions would see a reduction in the extent of earthbank to the north site boundary and also in terms of its position (outside the proposed curtilage but along the field edge in order to provide the clear separation between domestic and agricultural land. A detailed landscaping scheme should seek to ensure that overall, the proposed do not see a reduction in the level of biodiversity provision across the domestic curtilage as a result of the changes proposed and accepted as part of this application.

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.

The scheme accords with all relevant policies in the Island Development Plan and it is recommended the variations proposed are approved.

Recommendation:

Grant with Conditions



Date: 14/01/2025

