

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 dwelling and outbuilding, erect replacement dwelling, single-storey outbuilding/garage and associated works.

LOCATION: Stratton, Les Salines Road, St. Sampson.

APPLICANT: Mr R Mills

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: 12/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Turnstone Design: 405-10 Rev P2

Application Ref: FULL/2025/0162

Property Ref: B01587A000

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.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.

5.The development hereby permitted shall be constructed in accordance with the details set out in the letter from Turnstone Design (ref: 250129-405-3.1) dated 29/01/2025, under the heading Sustainability Statement and in accordance with the details shown on the approved plans regarding the electric vehicle charging point and solar panels. Within two months of the approved garage having been completed in accordance with the plans hereby approved the electric vehicle charging point and solar panels shall be installed and made operational.

Reason - In the interests of sustainable design and development.

Expiry Date: This permission will cease to have effect on 11/03/2028 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/2025/0162
Property Ref: B01587A000
Valid date: 05/02/2025
Location: Stratton Les Salines Road St. Sampson Guernsey GY2 4FJ
Proposal: Demolish dwelling and outbuilding, erect replacement dwelling, single-storey outbuilding/garage and associated works.

Applicant: Mr R Mills

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 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. 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.

5. The development hereby permitted shall be constructed in accordance with the details set out in the letter from Turnstone Design (ref: 250129-405-3.1) dated 29/01/2025, under the heading Sustainability Statement and in accordance with the details shown on the approved plans regarding the electric vehicle charging point and solar panels. Within two months of the approved garage having been completed in accordance with the plans hereby approved the electric vehicle charging point and solar panels shall be installed and made operational.

Reason - In the interests of sustainable design and development.

OFFICER'S REPORT

Site Description:

Stratton is a detached bungalow with a detached garage situated adjacent to the main house and with hardstanding to both the front and rear of the existing dwelling. A greenhouse is situated within the rear garden area for the site.

Properties in the locality are varied in their height, design and appearance.

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

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the demolition of the existing single-storey dwelling and detached outbuilding and the erection of a replacement dwelling with accommodation on the ground floor and within the roofspace. A detached, flat roof garage incorporating rooflights is also proposed.

The application has been accompanied by a Waste Management Plan and information that seeks to address the requirements of Policy GP9 and sustainable construction and design.

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

Advice Note: Bicycle Parking

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of the proposed development, the impact of the proposals on the character and appearance of the locality and on residential amenity.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Replacement dwellings on a one for one basis fall to be assessed against Policy GP13 of the Island Development Plan, this is irrespective of the size of the existing or proposed replacement dwelling. A replacement dwelling may be larger than the dwelling it is replacing where the proposed impact is considered to be acceptable when considering all relevant policies in the IDP.

The Island Development Plan allows for greater flexibility with regard to new development proposed in non-designated areas such as this and a development should preserve or enhance the character and appearance of the locality.

The proposed dwelling is broken down into different elements in order to reduce its overall bulk and its external appearance and proposed materials represent a good standard of design. There are a variety of property styles, heights and ages in the locality and the proposed dwelling will not appear unduly visually intrusive in the streetscene.

Overall, the proposal has sought to limit fenestration to the east and west elevations in order to preserve the privacy of occupiers of adjoining dwellings and in this regard the aims of the IDP have been met.

The scheme would make more efficient and effective use of land and the accommodation would offer future occupiers with accessible and flexible accommodation to meet their changing needs over time. Some concerns exist regarding aspect and outlook from bedroom 4 as it is served by a single rooflight although this alone is not considered to warrant the refusal of permission and overall the scheme has regard for the aims of Annex I: Amenities of the IDP.

The site benefits from an area of off-road and parking for future occupiers and also proposes a new garage building incorporating PV panels (not shown raised above the plane of the roof). The level of off-road parking is satisfactory when considering Policy IP7. The development will not impact on highway safety or road capacity etc.

The block plan makes reference to the provision of a separate cycle store attached to the garage although the elevation drawings do not include any details of this element of the scheme. The written submission indicates that it is likely that cycle storage would take place in the proposed garage. There are multiple ways that cycle storage could be provided as part of this development in order to comply with Policy IP6 (an exempt outbuilding, within the approved garage or within the separate store shown). It would not be reasonable to require the garage to be built in order to provide cycle storage and in this case given current exemption rights and the proposed garage it is demonstrated that cycle parking provision can be comfortably accommodated for future occupiers. No planning condition controlling this is deemed necessary in this case.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9. The proposed solar panels could represent exempt works not requiring the specific grant of planning permission. A condition is attached to this permission to ensure the development is undertaken in accordance with the Sustainability Statement provided and that the EV charging point and solar panels are provided following the completion of the garage to contribute towards the sustainable design and construction of this scheme.

In view of the above it is recommended permission is granted.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 11/03/2025

