

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 dower wing, erect dwelling and associated works to north of site (revised scheme).

LOCATION: La Pointe Farm, Rue Du Lorier, St. Pierre Du Bois.

APPLICANT: Mr & Mrs K Gallichan

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: 17/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Geoff Le Friec: 2309 / 6 & 7
Collas Crill letter dated 26/02/2025

Application Ref: FULL/2025/0366

Property Ref: F001370000

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 shall not be occupied until the proposed thermal standards, solar panels and all other sustainable design features set out in the Collas Crill letter dated 26/02/2025 under sections 4.1 to 4.6 titled Sustainable Design 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 Policies OC1 and GP9.

5.No development, excluding site works, shall begin on site until such time as details of the external materials of the walls, roof and fenestration have been submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

6.The dwelling hereby approved shall not be occupied until such time as the existing building has been demolished and all ancillary materials, works and structures have been removed from the site.

Reason - Additional new build dwellings are precluded Outside of the Centres. The proposed dwelling is only acceptable under Policy OC1 as a rebuild of an existing approved dwelling.

7.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 16/04/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 220729 or 01481 220722, or mobiles 07781 102219 or 07911 721210.

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/2025/0366
Property Ref: F001370000
Valid date: 03/03/2025
Location: La Pointe Farm Rue Du Lorier St. Pierre Du Bois Guernsey
GY7 9JU
Proposal: Demolish dower wing, erect dwelling and associated works to
north of site (revised scheme).

Applicant: Mr & Mrs K Gallichan

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 shall not be occupied until the proposed thermal standards, solar

panels and all other sustainable design features set out in the Collas Crill letter dated 26/02/2025 under sections 4.1 to 4.6 titled Sustainable Design 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 Policies OC1 and GP9.

5. No development, excluding site works, shall begin on site until such time as details of the external materials of the walls, roof and fenestration have been submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

6. The dwelling hereby approved shall not be occupied until such time as the existing building has been demolished and all ancillary materials, works and structures have been removed from the site.

Reason - Additional new build dwellings are precluded Outside of the Centres. The proposed dwelling is only acceptable under Policy OC1 as a rebuild of an existing approved dwelling.

7. 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.

INFORMATIVES

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 220729 or 01481 220722, or mobiles 07781 102219 or 07911 721210.

OFFICER'S REPORT

Site Description:

The site comprises of a group of buildings in the south-west corner which includes a traditional two storey dwelling and a series of detached barns and outbuildings which have a variety of uses including self-catering accommodation and stables. To the east and north of this is a large hard surfaced parking area with amenity space to the north and west of the buildings. The western section of the site is recognised as forming the curtilage of the dwelling and visitor accommodation uses. To the east of this is an area of agricultural land which is under the same ownership.

The site is located to the east of Route des Paysans and bounds La Houquette School to the north. The entire site is situated within an Agriculture Priority Area and is Outside of the Centres.

Relevant History:

09/10/2024/ - FULL/2024/1133 – Application refused to demolish dower wing, erect dwelling and detached garage and associated works to north of site.

03/11/2023 – CLU/2023/0935 – Certificate of Lawful Use application refused to regularise use of agricultural land as a domestic garden in association with La Pointe Farm (1,400sqm) (Residential Use Class 1). Application subsequently granted on appeal 23/04/2024 (PAP/012/2023).

19/10/2023 – FULL/2023/1454 – Permission granted to sub-divide, extend and alter dwelling to create 2 dwellings.

13/04/2023 – FULL/2022/1800 – Permission granted for the change of use of agricultural land to domestic garden (128sqm) (revised scheme).

27/05/2022 – FULL/2021/2562 – Application refused for the change of use of agricultural land to domestic land (6,000 sqm) and erect earth bank to north-east boundary.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission was granted to sub-divide, extend and alter the existing dwelling into 2 dwellings in October 2023 (FULL/2023/1454). Permission is now sought for a revised scheme to demolish the single storey wing which formed the recently approved additional dwelling and to erect a detached 1 bedroom dwelling to the north of the existing dwelling.

The proposed dwelling comprises of a single storey pitched roof design, no details of the external finishes of the dwelling have been provided.

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

Policy OC1: Housing Outside of the Centres
Policy GP1: Landscape Character and Open Land
Policy GP8: Design
Policy GP9: Sustainable Development
Policy IP6: Transport Infrastructure and Support Facilities
Policy IP7: Private and Communal Car Parking

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Whether the principle of the development is acceptable.
2. The impact of the development on the character and openness of the area.

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).**

Planning permission was granted to sub-divide, extend and alter the existing dwelling into 2 dwellings in October 2023 (FULL/2023/1454). As a result of this previous permission, Policy OC1 makes provision for the demolition and redevelopment of the previously approved dwellings where the development meets specified criteria.

An application was subsequently refused to demolish the dwelling and erect a detached dwelling and garage to the north of the site (FULL/2024/1133). The application was refused on account that the dwelling and garage was not broadly the same floor space and volume as the approved subdivision scheme and the siting of the dwelling resulted in a significant incursion beyond the extent of the existing built development on the site into a wider area of open land and would detract from and

have an increased impact on the character and openness of the area. This revised proposal seeks to address the reasons for refusal by omitting the garage and relocating the dwelling further south, closer to the existing built development on the site.

The number of units is the same as was approved in the subdivision scheme. The agent has submitted information to demonstrate that both the floor area and volume of the proposed dwelling itself has increased by less than 20% of the originally approved subdivision scheme. Although the volume calculations submitted relate to the internal volume instead of the external volume, measurements of the external volume confirm that the volume of the proposed dwelling has increased by less than 20% of the originally approved subdivision scheme. As a result, the redeveloped scheme is broadly the same floor space and volume as the approved subdivision scheme.

The existing single storey wing does not make a particular positive contribution to the character of the area. Information has been submitted regarding the sustainable design of the development which indicates that the proposed dwelling will be a factory built timber framed/insulated panel dwelling which will have a highly airtight building envelope with insulation/thermal performance levels for the walls, windows and roof all exceeding current Building Regulations, solar panels are to be installed to the west elevation and the design and positioning of fenestration allows for much greater solar gain and natural light. A Waste Management Plan has been submitted. The details submitted are sufficient to demonstrate that the replacement dwelling can be constructed in such a way as to significantly enhance its sustainable design.

The replacement dwelling would be located within the domestic curtilage of the existing dwelling, with this area of land being recognised as domestic land following the issuing of a Certificate of Lawful Use in April 2024 (PAP/012/2023). The dwelling is located adjacent to a high granite wall, it is reasonably well-related to the existing built development on the site and it would not unduly project into the wider area of open land to the north. By virtue of the revised siting of the dwelling and its relatively modest scale, the proposal would have no significant increased adverse impacts on the character and openness of the area.

The replacement dwelling is positioned a sufficient distance from the boundary of neighbouring properties and together with the high granite wall to the south, the proposal would have no significant adverse effects on the amenities of neighbouring residents.

The internal floor space of the replacement dwelling would substantially exceed the Guernsey Technical Standards minimum internal space standards and it would exceed the best practice minimum internal space standards which are published on the Authority's website for a 2 person dwelling. The proposed dwelling is dual aspect and would have adequate daylight, sunlight and privacy. The proposed dwelling includes a large garden and it would enjoy an attractive outlook. Overall, the

proposal would provide a satisfactory living environment, in accordance with Policy GP8.

There would be adequate car parking for the proposed dwelling and existing uses on the site and secure covered bicycle parking could be provided within the covered store or elsewhere within the associated curtilage of the proposed dwelling if required by future occupiers.

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 considered in the assessment of this application.

It is recommended that the application is approved.

Date: 17/04/2025