

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 shed and erect 1.5 storey detached garage/studio to east boundary.

LOCATION: Southlands, Les Hurettes, St. Martin.

APPLICANT: Mr & Mrs A Pikett

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: 15/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chris Workman & Co. Ltd: AP:21:14/01 & 02.

Application Ref: FULL/2021/1966

Property Ref: J008050000

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.

Expiry Date: This permission will cease to have effect on 14/10/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage and studio to be used only for purposes incidental to the enjoyment of the dwelling house presently known as Southlands. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2021/1966
Property Ref: J008050000
Valid date: 02/09/2021
Location: Southlands Les Hurettes St. Martin Guernsey GY4 6QS
Proposal: Demolish shed and erect 1.5 storey detached garage/studio to east boundary.
Applicant: Mr & Mrs A Pikett

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.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage and studio to be used only for purposes incidental to the enjoyment of the dwelling house

presently known as Southlands. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

Southlands is a detached two-storey dwelling set back from the road and with the roadside boundary marked by a bank and hedge.

The application relates to the erection of a one and a half storey detached double garage with ancillary accommodation above, described in the application as a studio which comprises an open plan space with a bed and a shower room. An external staircase is shown to serve the first-floor accommodation to the south of the outbuilding, adjacent to the main house.

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

Relevant History:

None.

Existing Use(s):

01 dwellinghouse

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:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

Conclusion/Brief comment:

The timber clad outbuilding has been designed to appear as a subservient structure within the frontage area of Southlands. The introduction of a first-floor gable feature and large gable window to the north elevation give the building a domestic appearance and the development represents an acceptable design that, although not strictly in keeping with the character of the local built environment (where outbuildings tend to be located to the side or rear of dwellings), would not have an unduly harmful effect. That the proposed outbuilding would not project forwards of the neighbouring dwelling to the east, and would be largely screened by mature boundary hedging, adds weight to this conclusion.

The proposed building is set away from the side/ east site boundary and has a pitched roof sloping away from the adjoining dwelling. The proposed building will not result in unacceptable overshadowing or loss of light to the occupiers of the adjoining property. The rooflights in the east roofslope facing the adjoining property are shown to be high level (1.7m above the finished first floor level) and will not result in unacceptable overlooking or loss of privacy to the occupiers of this adjoining dwelling. The gable window in the north elevation will face the roadside boundary hedge with views directed to the lane and fields beyond. The Juliette balcony to the west elevation will offer views across the applicants own front driveway area. There is sufficient distance to the west boundary to ensure that the first-floor fenestration does not result in unacceptable harm to the amenities enjoyed by the occupiers of the dwelling to the west.

The proposed external staircase is situated close to the front elevation of Southlands but as ancillary accommodation associated with the main house will not have an unacceptable impact on the amenities enjoyed by the occupiers of the house. It is appropriate to impose an informative note on the planning permission regarding the use of the accommodation.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

Overall, the scheme meets the aims of Policies GP8, GP9 and GP13 of the Island Development Plan.

The existing driveway serving the property is to be retained and the two parking spaces indicated accord with the maximum standard and therefore the scheme complies with Policy IP7.

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.

In view of the above it is recommended that planning permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 15 October 2021

