

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, erect detached garage/store to east boundary.

LOCATION: Le Jardinnet, Les Camps Du Moulin, St. Martin.

APPLICANT: Mr & Mrs G Couzens

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: 27/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: drawings4U drawing no's: 1506.SK.01B, 02B & 03C

Application Ref: FULL/2021/2085

Property Ref: J013780000

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 26/10/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage/store to be used only for purposes incidental to the enjoyment of the dwelling house currently known as Le Jardinnet. Any use in connection with a trade or business would require a separate grant of planning permission.

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/2021/2085
Property Ref: J013780000
Valid date: 20/09/2021
Location: Le Jardinnet Les Camps Du Moulin St. Martin Guernsey GY4 6EA
Proposal: Demolish shed, erect detached garage/store to east boundary.

Applicant: Mr & Mrs G Couzens

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/store to be used only for purposes incidental to the enjoyment of the dwelling house currently known as Le Jardinnet. Any use in connection with a trade or business would require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

Le Jardinnet is a detached one and a half storey dwelling located on the corner of Les Camps Du Moulin and Rue Jacques Guille. Surrounding the site the area comprises residential to the north, east and west with open fields to the south. To the west on the opposite side of Rue Jacques Guille is a Conservation Area.

The application relates to the demolition of the existing shed and glasshouse, located to the northeast of the dwelling, closer to Les Camps Du Moulin than the existing house and their replacement with a detached double garage with store above. A replacement glasshouse is also proposed but based on the submitted information this would constitute exempt development and would not require consideration as part of a formal planning application.

The site is located Outside of the Centres. A Conservation Area is located to the west of the site.

Relevant History:

FULL/2015/2199 - Demolish shed, re-position glasshouse and erect a double garage and garden store – granted

Subsequently a minor amendment was approved in relation to the position of the garage which was altered very slightly in order to align with the site boundary to the east.

FULL/2018/2140 - Demolish shed, re-position glasshouse and erect a double garage and garden store – granted

Existing Use(s):

01 Dwelling houses

Assessment: *(Tick as appropriate)*

no representation

☒

visual amenity acceptable

☒

accords with policy
within curtilage
design acceptable

x
x
x

no material neighbour impact
traffic not affected

x
x

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 proposal will be situated to the east of the property and will replace an existing greenhouse (that will be relocated within the site) and a shed. The existing structures are of no particular merit to warrant their retention and their removal is accepted.

Although the proposal will be built forward of the existing front elevation of the dwelling, the properties along Les Camps Du Moulin do not have a uniform building line. Furthermore, the proposal will project no further towards Les Camps Du Moulin than the property to the east (Beau Pre).

The property is situated in an elevated position when compared to Les Camps Du Moulin and the northern boundary comprises a granite wall with a hedge above which stands circa 2.5m in height from the ground level. The northern elevation of the garage will be set 5m from the highway and will be largely hidden from view from the street scene by the neighbouring property to the east, and the boundary screening to the north.

Although large, the design of the proposal is in-keeping with the design of the existing dwelling and the neighbouring property to the east and will be seen well in its context. The materials to be used will match the existing dwelling and the scheme is considered acceptable in terms of its design and impact on the character and appearance of the street scene. The scheme therefore meets the aims of Policies GP8, GP9 and GP13 of the Island Development Plan.

The garage will be built close to the shared boundary and the gable of the neighbouring property to the east. This aspect of the neighbouring dwelling comprises a double garage with no gable windows and any loss of light as a result of the proposal would therefore not be so substantial to warrant refusal. The scheme therefore meets the aims of Policies GP8, GP9 and GP13 of the Island Development Plan.

Given the size of the proposal it is recommended that an informative note is included on the planning permission to ensure that it is used for purposes ancillary to the main dwelling and not in connection with any trade or business.

The existing driveway and proposed garage will provide adequate off-road parking to serve the dwelling when considering the maximum parking standards. The scheme therefore meets the aims of Policy IP7.

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.

In view of the above it is concluded that the scheme accords with the relevant policies in the Island Development Plan and it is recommended that planning permission is granted for the proposed garage/store.

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.

Recommendation:

Grant with Conditions



Date: 27 October 2021