

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 outbuilding (west of barn). Erect single storey extension to west elevation, install rooflights and alterations to fenestration to barn.

LOCATION: 2 Le Friquet Cottages, Rue Des Bailleuls, St. Andrew.

APPLICANT: Mr E A McInnes & Miss E Despres

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: 10/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design drawing no: 19-1104 PD/01A

Application Ref: FULL/2021/2154

Property Ref: K006090000

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 09/11/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the barn that is the subject of this application is an ancillary domestic outbuilding and it should be used only for purposes incidental to the enjoyment of the dwelling house. Any use of the barn or main house 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/2021/2154
Property Ref: K006090000
Valid date: 11/10/2021
Location: 2 Le Friquet Cottages Rue Des Bailleuls St. Andrew Guernsey
GY6 8XB
Proposal: Demolish outbuilding (west of barn). Erect single storey
extension to west elevation, install rooflights and alterations to
fenestration to barn.
Applicant: Mr E A McInnes & Miss E Despres

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.

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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, the barn that is the subject of this application is an ancillary domestic outbuilding and it should be used only for purposes incidental to the enjoyment of the dwelling house. Any use of the barn or main house in connection with a trade or business would require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

2 Le Friquet is a semi-detached dwelling situated to the north of Rue Des Bailleuls. The garden of the dwelling wraps around the rear of its semi-detached neighbour, Cumberland Cottage with the barn, garage and parking associated with 2 Le Friquet situated to the north and west of Cumberland Cottage. The barn is visible through the open side garden to the west of Cumberland Cottage. To the north of the site is a reservoir.

The application relates to the demolition of the detached garage building to the west of the barn and the erection of a single-storey extension to the barn along with the installation of rooflights and alterations to fenestration to the barn structure.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

Pre-application advice was sought regarding the barn in 2015.

Existing Use(s):

01 Dwelling houses

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
X

Policies considered most relevant:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

Consultation:

La Societe Guernesiaise - highlight that outbuildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as large gardens, farmland or woodland nearby.

It is recommended that the building be inspected for current or recent use by bats or other wildlife by a suitably qualified person prior to any demolition or building works. This would reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. It would also be beneficial to include suitable measures to support roosting bats and nesting birds within the development proposal.

Conclusion/Brief comment:

The existing garage outbuilding appears to be of concrete/asbestos construction and is of no particular merit to warrant its retention and its removal is accepted. Although the removal of the garage structure would result in the loss of a parking space the site is still served by adequate off-road parking to meet the needs of occupiers in line with Policy IP7.

The proposed single-storey extension to the barn has been designed as a contemporary addition to the traditional structure. This, along with the alterations proposed to the original barn represent a good standard of design that respects the local built environment in accordance with Policies GP8, GP9 and GP13 of the Island Development Plan.

The works will not result in unacceptable overshadowing or overlooking of the adjoining dwelling given that existing window openings in the south elevation facing directly into the neighbours garden are to be infilled. The scheme therefore meets the aims of the relevant policies in the Island Development Plan.

The application has been accompanied by a letter which sets out that the applicant is an experienced yoga and Reiki teacher but that teaching takes place off site. The applicant is however, dedicated to daily practice and wishes to provide a personal “‘healing and wellbeing suite’ within a facility that remains ancillary to the main family home”. An informative note can be placed on any planning permission setting out that any business operation from the building/home would require planning permission.

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: 10 November 2021

