

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. Erect single storey extension to south (side) elevation, porch to east (front), erect balcony at first floor level to west (rear) elevation and erect pool pump room to rear of dwelling.

LOCATION: Gele Road Vinery, Le Gele Road, Castel.

APPLICANT: Mr & Mrs B O'Mahoney

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: 15/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd: 10318-S1-01A, 02D, 03E, 04E, 05E, 06E & 07E

Application Ref: FULL/2021/2183

Property Ref: D00463D000

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 14/11/2024 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/2021/2183
Property Ref: D00463D000
Valid date: 30/09/2021
Location: Gele Road Vinery Le Gele Road Castel Guernsey GY5 7LR
Proposal: Demolish outbuilding. Erect single storey extension to south (side) elevation, porch to east (front), erect balcony at first floor level to west (rear) elevation and erect pool pump room to rear of dwelling.

Applicant: Mr & Mrs B O'Mahoney

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.

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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.

OFFICER'S REPORT

Brief Description of the site:

Le Gele Vinery is the location of a substantial detached dwelling which is under construction. The building is wind and water tight with windows and roof covering in place. The south elevation of the building has been infilled with blockwork as the applicant does not wish to construct the kitchen part of the previously approved scheme for a dwelling on this site.

The application relates to the demolition of an outbuilding and the erection of a single-storey extension containing a kitchen and breakfast room, utility and boot room, plant room shower room and car port. The extension has been designed with a pitched zinc roof with the opportunity to install solar panels to this south facing roofslope however these would constitute exempt development. Planning permission is also sought for the erection of a balcony to the rear/west elevation of the main house and entrance canopy to the front/east elevation.

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

Relevant History:

FULL/2017/1763 - Convert outbuilding into two dwellings with associated parking and landscaping - granted

FULL/2018/0887 - Demolish existing outbuildings and erect two detached dwellings and garages with associated amenity space and create new vehicular access – granted

FULL/2019/1800 - Demolish existing outbuildings and erect dwelling with associated amenity space, landscaping and alterations to vehicular access and erect gates – granted

FULL/2020/0735 - Variations to plans previously approved to demolish existing outbuildings and erect dwelling with associated amenity space - alterations to fenestration and amendments to facade treatment, alterations to roof and dormers – granted

FULL/2020/1812 - Variations to plans previously approved to demolish existing outbuildings and erect dwelling with associated amenity space - increase footprint, reposition flue and amendments to exterior of north elevation and alterations to fenestration – granted

FULL/2020/2577 - Change of use of agricultural land to domestic garden (2,500 sqm)
– granted

Pre-application advice was sought regarding the erection of an extension to the south of the dwelling.

Existing Use(s):

01 dwellinghouse
28 agriculture

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP7: Private and Communal Car Parking

Consultation:

La Societe Guerneslaise - 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 development of Le Gele Vinery for a single dwelling has, as the planning history outlines, been considered through the redundant building policies of the Island

Development Plan. Now that the dwelling is substantially complete however, Policies GP16(A) and GP16(B) no longer apply.

The outbuilding, to the front of the dwelling is of no particular merit to warrant its retention and it can be argued that it detracts from the setting of the main house. Its removal is accepted.

The proposed single-storey extension, porch canopy and balconies have been designed to complement the existing dwelling and represent a good standard of design. Although the extension will project forward of the main house its single storey nature and the position of the dwelling in the site is such that it will not appear unduly obtrusive in the streetscene.

The alterations to the dwelling will not result in overshadowing or loss of light to adjoining occupiers and given the position of the property in its plot will not result in unacceptable overlooking or loss of privacy to the residential neighbours to the north.

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

The site, including proposed car port, offers ample off-road parking to serve the dwelling in accordance with 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.

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 planning permission is granted for the proposed alterations to the dwelling.

Recommendation:

Grant with Conditions



Date: 15 November 2021

