

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: Erect a greenhouse and garden store. (Protected Building).

LOCATION: St. Magloire, Route De St Magloire, Vale.

APPLICANT: Mr & Mrs P Le Lievre

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: 11/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 6883-04/B1D, /B2D & /B3D.

Application Ref: FULL/2021/2561

Property Ref: C00015B000

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 10/01/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed structures to be used only for purposes incidental to the enjoyment of the dwelling house. 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/2021/2561
Property Ref: C00015B000
Valid date: 07/12/2021
Location: St. Magloire Route De St Magloire Vale Guernsey
Proposal: Erect a greenhouse and garden store. (Protected Building).

Applicant: Mr & Mrs P Le Lievre

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 structures to be used only for purposes incidental to the enjoyment of the dwelling house. 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:

The property comprises a detached two and a half storey dwellinghouse, located to the east of the site and facing on to Route de St Magloire.

The property is bounded by Rue de Dessous to the south, further glass to the west and a residential property and former glasshouse site to the north.

The whole of the building, including the roadside wall and railings, is protected. The property is located within a Conservation Area, Outside of the Centres as designated in the Island Development Plan.

The application relates to the erection of glasshouse along the west boundary, with a covered store area. The building has been designed with an 'L' shape form and to the east of the garden store is a potting shed and carport/tractor store.

The erection of fencing and gates and the undertaking of planting along the west boundary formed part of the previous permission to extend the domestic curtilage. An existing glasshouse on the site has been removed following the 2018 permission for a replacement glasshouse and garden store.

Relevant History:

PREA/2018/0792 Pre-application enquiry regarding demolition of glasshouses and erection of new glasshouse with potting shed.

FULL/2017/1540 - to demolish existing workshop and erect garage with studio above
- granted

FULL/2017/1085 - extend domestic curtilage - granted

FULL/2018/1682 - Demolish existing glasshouse, erect new glasshouse, potting shed and timber framed store – granted

Existing Use(s):

01 dwellinghouse

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:

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The proposed structures would be located within the extended domestic garden of the property. The structures are proposed for a clear purpose and would be ancillary and incidental to the domestic use of the site, and have previously been granted permission in a slightly different form.

The site is open to views from the road and the proposed new structures would be set well back from the roadside, limiting any impact in views from the road. The structures would also be set to the west of the site, limiting the impact on the setting of the protected building.

The proposed structures are of appropriate scale, design and materials in this context and would not have any adverse impact on the setting of the protected building or the character of the Conservation Area.

The proposed structures would be set away from adjacent residential properties and there would therefore be no adverse impact on the amenity of nearby properties.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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: 06 January 2022

