

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: Variations to previously approved plans to erect a 1.5 storey tractor store to south site boundary - Install rooflights to west (front) elevation and install rooflights and garage doors to east (rear) elevation.

LOCATION: St Vincent, Route De La Mare De Carteret, Castel.

APPLICANT: Mr & Mrs Pybus

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: 10/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture - 3070 SK-01 (2) A, SK-02 (2) A & SK-03 (2) A.

Application Ref: FULL/2022/0035

Property Ref: D01874B000

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 on or before 24/08/2024.

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.

4.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/08/2021, issued under planning application reference FULL/2021/1421, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 24/08/2021 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/2022/0035
Property Ref: D01874B000
Valid date: 20/12/2021
Location: St Vincent Route De La Mare De Carteret Castel Guernsey
GY5 7XD
Proposal: Variations to previously approved plans to erect a 1.5 storey tractor store to south site boundary - Install rooflights to west (front) elevation and install rooflights and garage doors to east (rear) elevation.
Applicant: Mr & Mrs Pybus

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 on or before 24/08/2024.

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.

4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/08/2021, issued under planning application reference FULL/2021/1421, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached bungalow, set well back from Route de la Mare de Carteret behind frontage development and located to the south of a large grassed field which has been approved to be used as domestic garden. Construction is underway for the erection of the replacement dwelling towards the north of this site. A shed and poly tunnel have been erected on the site to the south of the dwelling under construction.

The site is located Outside of the Centres and is the subject of no other designation under the Island Development Plan.

Relevant History:

FULL/2016/0015 - Convert existing outbuilding into separate unit of accommodation with associated car parking and landscaping - granted

FULL/2016/1501 - Erect a dwelling - granted

FULL/2016/2842 - Change of use of agricultural land to domestic garden - granted

FULL/2017/0331 - Re-position previously approved new dwelling under (FULL/2016/1501) to south of site - granted

FULL/2017/1020 - Variations to plans previously approved (FULL/2017/0331): Re-position previously approved new dwelling (under FULL/2016/1501) to south of site - raise ridge height and alter fenestration - granted

FULL/2018/2402 - Demolish existing dwelling and store and erect new dwelling and store. Erect gate to south of property - granted

FULL/2020/0690 - Demolish existing and erect replacement two-storey dwelling (revised scheme) - granted

FULL/2020/2640 - Install solar panels to south roof slopes - granted

FULL/2021/0001 - Erect wall, relocate and widen vehicular access and alter driveway – granted

FULL/2021/1421 – Erect one and a half storey tractor store to south site boundary – granted

FULL/2021/2622 – erect one and a half storey office/dower unit to northwest boundary – under consideration

FULL/2022/0035 – variations to previously approved plans to erect a one and a half storey tractor store to south site boundary install rooflights to west (front) elevation and install rooflights and garage doors to east (rear) elevation – under consideration

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:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The principle of the erection of a detached outbuilding to serve as ancillary accommodation incidental to the enjoyment of the main house has already been established through the grant of permission for this tractor store. This application will not revisit the principle of the development but only assess the impact of the proposed changes on the character and appearance of the area and on residential amenity.

The proposed alterations to the building, additional rooflights and garage doors (east and west elevations) represent a good standard of design that respects the character of the local built environment and which will not result in harm to any open landscape area in accordance with Policies GP8 and GP13 of the Island Development Plan.

As originally approved, window openings were limited at ground and first floor level and this scheme would see a substantial increase in the number of first floor window openings. The building would remain in excess of 35m from the boundary with properties to the west and the additional west facing rooflights will not result in an unacceptable degree of overlooking or loss of privacy to the surrounding dwellings. Ground floor doors and rooflights in the east elevation are also proposed however these face an adjoining vinery site and will not result in harm to residential amenity. Overall the development will not result in an unacceptable degree of overlooking or

loss of privacy to occupiers of dwellings surrounding the site. The scheme has considered the health and well-being of neighbours of the development in this respect in accordance with Policies GP8, GP9 and GP13 of the Island Development Plan.

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.

It is therefore recommended that planning permission is granted for the variations proposed and linked to the earlier permission for this development in all other respects.

Recommendation:

Grant with Conditions



Date: 09 February 2022

