

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 single storey extension, pergola and install rooflights to south (rear) elevation, erect replacement vinehouse to east (side) elevation, install dormer windows to north (front) elevation, rooflights to west (side) elevation and alterations to fenestration.

LOCATION: Le Courtilliet, Route De Pleinmont, Torteval.

APPLICANT: Mr & Ms J Brehaut

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: 26/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Langlois drawing no's: 2040/02 and 2040/09 & 10

Application Ref: FULL/2022/0142

Property Ref: G001220000

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.

4. Notwithstanding the information submitted, if it is required to rebuild the earth bank as opposed to repair as noted on drawing 2040/09, the earthbank shall be constructed in accordance with Earth Banks in Guernsey - Conservation Advice Note 3.

Reason - to ensure the construction of the replacement earth bank is completed in an appropriate manner that respects the rural character and appearance of the area.

5. The planting scheme shown on the approved Site Plan shall be planted in the first planting season following the installation of the oil tank. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally planted.

Reason - To ensure that the planting scheme is carried out in a suitable timeframe following the installation of the oil tank in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 25/04/2025 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/2022/0142
Property Ref: G001220000
Valid date: 11/02/2022
Location: Le Courtillet Route De Pleinmont Torteval Guernsey GY8 OLP
Proposal: Erect single storey extension, pergola and install rooflights to south (rear) elevation, erect replacement vinehouse to east (side) elevation, install dormer windows to north (front) elevation, rooflights to west (side) elevation and alterations to fenestration.
Applicant: Mr & Ms J Brehaut

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.

4. Notwithstanding the information submitted, if it is required to rebuild the earth bank as opposed to repair as noted on drawing 2040/09, the earthbank shall be constructed in accordance with Earth Banks in Guernsey - Conservation Advice Note 3.

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Reason - To ensure that the planting scheme is carried out in a suitable timeframe following the installation of the oil tank in the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a traditional, two storey detached dwelling-house and lean-to glasshouse to the east and west elevations, with a conservatory and porch to the rear. The property is located south of Route De Pleinmont, Torteval, and is situated Outside of the Centres and in an Agriculture Priority Area as defined in the Island Development Plan. The land to the west of the dwelling-house appears to be recognised as domestic curtilage.

The property is not a protected building nor is it situated in a Conservation Area.

Planning permission is sought to erect a single storey extension, pergola and install rooflights to south (rear) elevation, erect replacement vinehouse to east (side) elevation, install dormer windows to north (front) elevation, rooflights to west (side) elevation and make alterations to the fenestration.

Relevant History:

PAPP/1996/0144	Erect a porch.	Granted
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Existing Use(s):

Residential.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

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.

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of Conservation Area, Area of Biodiversity Importance, protected building or protected monument.

In this instance Policy GP8 (Design) is also relevant. In addition, the preceding text to this policy refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

The proposal adopts a good standard of design by virtue of its scale, form, massing, siting and materials. The works seek to renovate the property in a sympathetic and proportionate manner. Due to the extent of works proposed, the development is not considered to have a detrimental impact on the character of the area or visual amenity.

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents. Despite the inclusion of four roof-lights serving two bedrooms, a bathroom and a staircase at second floor level to the rear of the property, the relationship and distance to the neighbouring property to the south is

not considered to cause substantial harm with regards to overlooking to justify increasing the cill heights of those roof-lights, or justify refusal.

Despite the inclusion of three dormer windows to the front of the property, the windows will face towards Route De Pleinmont and a field beyond.

Overall, the impact on the amenities of neighbouring residents is acceptable and would not rebut the support in favour of householder development (Policy GP13) in its current form.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 21/04/22

