

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 detached outbuilding and erect single storey outbuilding/dower unit to south of property (revised scheme).

LOCATION: Le Priller, Rue De La Grande Maison, St. Pierre Du Bois.

APPLICANT: Mr A Reddall

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: 31/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3086/SK(3)01A, 03A & 04.

Application Ref: FULL/2022/0320

Property Ref: F01377A000

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 30/03/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of a detached outbuilding to be used incidental to the principal dwelling presently known as Le Priller. It does not permit the creation of a separately occupied annex containing all of the accommodation and facilities required for day-to-day living would be tantamount to the creation of a new dwelling and 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/2022/0320
Property Ref: F01377A000
Valid date: 03/02/2022
Location: Le Priller Rue De La Grande Maison St. Pierre Du Bois
Guernsey GY7 9AL
Proposal: Demolish detached outbuilding and erect single storey
outbuilding/dower unit to south of property (revised scheme).
Applicant: Mr A Reddall

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 erection of a detached outbuilding to be used incidental to the principal dwelling presently known as Le Priller. It does not permit the creation of a separately occupied annex containing all of the accommodation and facilities required for day-to-day living would be tantamount to the creation of a new dwelling and would require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

Le Priller is a detached bungalow situated to the east of La Rue De La Grande Maison, a detached single garage is situated to the south of the dwelling and has been designed to reflect the appearance of the main dwelling. The property has a rendered exterior and PVCu windows and doors. A conservatory exists to the rear of the property and the south boundary is marked by a fence, wall and hedge. Le Mouillage, to the south is a detached bungalow with conservatory to the rear with windows facing across the driveway and front garden area of Le Priller.

The application as originally submitted related to demolish the existing garage building, which benefits from planning permission to be extended and used as a dower, and the construction of a detached building to be used as ancillary living accommodation and containing a living/kitchen area, shower room and two bedrooms with storage cupboard in the hallway. The application was accompanied by supporting information that sets out that the accommodation makes future provision for the possible need for a carer to attend the occupier of the building.

The application as originally submitted was not accompanied by supporting information to set out how facilities and accommodation will be shared and concerns were raised regarding the provision of a second bedroom without justification therefore the application was deferred in order for these matters to be addressed.

As amended, the building does not include a second bedroom and would see an 18% increase in the overall floor area of the accommodation (from 39 sqm to 46.2 sqm). The additional supporting information refers to the proximity of the dower to the main house for easy access, shared amenities such as the rear garden area.

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

Relevant History:

FULL/2021/1735 - Erect extension to south (side) elevation of detached garage - granted

FULL/2021/2362 - Variation to previously approved plans to erect extension to south (side) elevation of detached garage - Alterations to fenestration to create dower unit – 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:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

Conclusion/Brief comment:

The principle of extending and enlarging the outbuilding has been established through the grant of planning permission in 2021 as has the use of the building, as extended, as ancillary living accommodation associated with Le Priller.

The application is for a domestic outbuilding, it may however, be used for any other purpose which is incidental to the enjoyment of the dwelling. This may include but is not limited to use as a games room, craft room, storage etc. Any other use (e.g. as a self-contained dwelling unconnected with Le Priller) would need to be the subject of a separate application considered against the policies in place at that time. The principle of constructing a domestic outbuilding containing a carport/garage, store and some ancillary living accommodation is therefore acceptable.

The building has been designed taking into account the scale of development on the site and in the locality. The building would not appear as an intrusive form of development out of character with the local built environment, represents 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.

The single-storey nature of the building and blank side elevations ensure that the dower unit will not result in unacceptable overshadowing or loss of privacy to the occupiers of adjoining dwellings in accordance with the aims of Policies GP8, GP9 and GP13 of the IDP.

The close interrelationship between the ancillary outbuilding and main house is such that the potential for mutual overlooking is not unacceptable and meets the aims of Policies GP8, GP9 and GP13. The arrangement of internal space and light to the accommodation has considered the health and well-being of future occupiers/users.

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 outbuilding.

Recommendation:

Grant with Conditions



Date: 29 March 2022

