

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 pitched roof extension to north elevation.

LOCATION: Gele 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: 24/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne 10318-S1- 02E, 03F, 04G, 05F, 06F, 07F and 12

Application Ref: FULL/2022/0335

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 23/05/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Gele Road Vinery. It does not permit the creation of a separately occupied annex or an independent dwelling. This decision also permits the office 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. Such change in uses as described above would require a separate grant of planning permission and involve different planning policy considerations.

For the avoidance of doubt, the areas highlighted in black on the ground floor and first floor plans associated with the main dwelling and recent extension to the south, are not approved as part of this application, and would need to be submitted in respect of the former permissions respectively.

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/2022/0335
Property Ref: D00463D000
Valid date: 07/02/2022
Location: Gele Vinery Le Gele Road Castel Guernsey GY5 7LR
Proposal: Erect pitched roof extension to north elevation.

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.

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 an extension to be used as an integral part of and incidental to the principal dwelling presently known as Gele Road Vinery. It does not permit the creation of a separately occupied annex or an independent dwelling. This decision also permits the office 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. Such change in uses as described above would require a separate grant of planning permission and involve different planning policy considerations.

For the avoidance of doubt, the areas highlighted in black on the ground floor and first floor plans associated with the main dwelling and recent extension to the south, are not approved as part of this application, and would need to be submitted in respect of the former permissions respectively.

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.

Planning permission is sought to erect a 1.5 storey, pitched roof extension to the north of the dwelling principally serving an office, bedroom, gym, workshop/garage and store above.

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

Relevant History:

FULL/2021/2183 - 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 - granted

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:

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.

The proposed pitched roof 1.5 storey extension adopts a good standard of design for the purposes of Policy GP8 by virtue of its scale, form, massing, siting and materials.

The extension will be subservient to the main dwelling and will seek to replicate that approved on the southern side of the dwelling, currently under construction.

The palate of materials proposed also reflects that used as part of the main house and approved extension, with the principal façade (east gable end) being natural granite which will help to enhance its appearance in the street scene.

The overall composition of the buildings is different to that of the former agricultural buildings on site although, it is acknowledged that the style of design adopted seeks to incorporate a mix of building scales, forms and masses. As a result, this collectively enables a substantial sized building on this relatively large open flat site, whilst maintaining an acceptable mass and bulk.

Although there are a significant number of window openings in the ground and first floor of the extension facing north to the adjoining dwelling, the ground floor windows would be screened by existing or exempt boundary features/landscaping. The first floor rooflights are shown with a cill height of 1.5m above the internal floor level. The degree of overlooking afforded from the roof-lights is likely to be limited and will not result in unacceptable harm to the amenities of the occupiers of the adjoining dwelling which is set at a substantial distance from the shared boundary.

Overall, the proposal will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

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: 18/05/22

