

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 detached garage/store and resurface parking area to south-west boundary.

LOCATION: The Granary, Rue De Quanteraine, St. Pierre Du Bois.

APPLICANT: Mr J Ogier

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: 16/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP 3074 SK- 01 & 02A.

Application Ref: FULL/2022/0655

Property Ref: F007580000

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.The existing trees along the north-east, south, and west boundaries of the site (enclosing the car parking area), as indicated on drawing reference 3074 SK01 and SK-02A attached to this decision notice, shall be retained and shall not be felled, lopped, topped or uprooted without the previous written agreement of the Authority. Any trees removed, dying, being severely damaged or becoming seriously diseased shall be replaced with trees of such size and species as previously agreed in writing by the Authority within one year of the date of any such loss, for a period of five years from the date development begins.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

5.Notwithstanding the information submitted, the granite stone cobbles to be used as part of the proposed development shall include a permeable joint and any subbase shall be of a permeable construction.

Reason - To allow surface water runoff to percolate through the hard surface material to ensure that the trees remain unaffected by the proposed resurfacing works.

Expiry Date: This permission will cease to have effect on 15/06/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the residential unit or the Self-catering units presently known as The Granary.

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/2022/0655
Property Ref: F007580000
Valid date: 20/04/2022
Location: The Granary Rue De Quanteraine St. Pierre Du Bois Guernsey
GY7 9DP
Proposal: Erect single storey detached garage/store and resurface parking
area to south-west boundary.
Applicant: Mr J Ogier

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. The existing trees along the north-east, south, and west boundaries of the site (enclosing the car parking area), as indicated on drawing reference 3074 SK01 and

SK-02A attached to this decision notice, shall be retained and shall not be felled, lopped, topped or uprooted without the previous written agreement of the Authority. Any trees removed, dying, being severely damaged or becoming seriously diseased shall be replaced with trees of such size and species as previously agreed in writing by the Authority within one year of the date of any such loss, for a period of five years from the date development begins.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

5. Notwithstanding the information submitted, the granite stone cobbles to be used as part of the proposed development shall include a permeable joint and any subbase shall be of a permeable construction.

Reason - To allow surface water runoff to percolate through the hard surface material to ensure that the trees remain unaffected by the proposed resurfacing works.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the residential unit or the Self-catering units presently known as The Granary.

OFFICER'S REPORT

Brief Description of the site:

The application site consists of a former granary of traditional construction. The property is located Outside of the Centres as designated in the Island Development Plan.

Planning permission was granted in 2008 to convert part of the ground floor and first floor of the existing restaurant and staff accommodation to a unit of residential accommodation (use class 1 – dwelling-house).

As part of that application additional information was received noting that the dwelling would be served by an existing car parking area on Rue de Quanteraine to the west of the Granary, with the self-catering unit served by parking provision to the south-east. The car park to the west of the building, is therefore recognised as forming a detached area of domestic curtilage, separated by an agricultural field.

Planning permission is now sought to erect a single storey detached garage/store and resurface the parking area to the south-west of the site, north of Rue de Quanteraine. It is understood that the car parking area to the west of The Granary is used by the residents of the dwelling-house and serves as an overflow car park for the guests of the self-catering units. The car port will be finished in timber cladding and the car park will be resurfaced with natural granite sets.

The agent's letter submitted as part of this application sets out the proposed garage will serve the occupiers of the dwelling-house and will provide storage for domestic paraphernalia and maintenance equipment for the surrounding area of agricultural land.

Relevant History:

PAPP/2008/2393	Alterations to residential unit (Options A & B)	Granted
PAPP/2007/3382	Change of use of ground and first floor levels of existing restaurant / staff accommodation to a unit of residential accommodation.	Granted

Existing Use(s):

Private car park west of The Granary.

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 garage is setback from the road and achieves a good standard of design by virtue of its scale, form, massing, siting and materials. Due to its position and design, the proposal is unlikely to have a detrimental impact on the character of

the area or visual amenity that would rebut the general support in favour of householder development.

The proposal will not impact on the amenities of neighbouring residents.

Despite the size of the car port and attached lean-to, sufficient space exists to serve as an overflow car park.

Resurfacing the car park area in natural granite sets will achieve a high standard of design and will respect the character and appearance of the surrounding area. However, it is reasonable to attach a condition to the decision to ensure that the trees are retained as part of the proposal and that the hard surfacing material is of a permeable construction to ensure that the trees are unaffected from the proposed development.

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: 13/06/22