

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: Variation to previously approved plans to erect detached single storey garage and chicken coop to west boundary - increase and alter floor area of garage/chicken coop to front and side.

LOCATION: Elam Cottage, La Grande Rue, St. Saviour.

APPLICANT: Mr L Le Cheminant

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: 05/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: LLC-21-1042-01D

Application Ref: FULL/2022/0906

Property Ref: E008910000

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 10/01/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/2116.

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 11/01/22, issued under planning application reference FULL/2021/2116, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 10/01/2025 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/2022/0906
Property Ref: E008910000
Valid date: 18/05/2022
Location: Elam Cottage La Grande Rue St. Saviour Guernsey GY7 9PS
Proposal: Variation to previously approved plans to erect detached single storey garage and chicken coop to west boundary - increase and alter floor area of garage/chicken coop to front and side.

Applicant: Mr L Le Cheminant

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 10/01/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/2116.

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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 11/01/22, issued under planning application reference FULL/2021/2116, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a traditional 1 ½ storey, semi-detached cottage, positioned on the north side of La Grand Rue on the eastern edge of a cluster of development centred around Rue Perelle and the junction with La Grande Rue and Fief La Comte, and located in a predominantly rural area Outside of the Centres and within a Conservation Area under the Island Development Plan (IDP). A driveway adjacent to the east gable provides shared vehicular access to the rear of both the application property and its adjoining neighbour 'Kew Cottage'.

Planning permission was granted in 2022 to retrospectively change the use of agricultural land to domestic garden (243 sqm) and erect detached single storey garage and chicken coop to the west boundary.

Planning permission is now sought to vary the approved drawings by altering the size of the proposed garage. As set out in the agent's letter dated 11th April 2022 it is proposed to reduce the width of the garage by 1m, and increase the depth from 5m to 6m to accommodate the applicant's work benches and car or boat. It is noted that the proposed garage will be used ancillary to the main dwelling. The cladding will remain unchanged from the approved scheme.

Relevant History:

FULL/2021/2116	Change of use of agricultural land to domestic garden (243 sqm) (retrospective), and erect detached single storey garage and chicken coop to west boundary.	Granted
FULL/2018/0824	Extend and convert existing garage to dwelling, erect garage, create new driveway and parking and change of use of agricultural land to domestic garden (Revised)	Refused
FULL/2017/1591	Extend and convert existing garage to dwelling, erect garage, create new driveway and parking and extend domestic curtilage.	Refused
PAPP/1995/3529	Erect a garage/store.	Granted

Existing Use(s):

Residential – Dwelling-house, including detached garage and land to the rear (north) of the garage.

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.

No representation has been received as part of this application.

The application represents a minor change to the approved scheme that will not have a material adverse effect 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: 01/08/22