

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 workshop/store to south-east boundary.

LOCATION: La Devise De Haut, Rue De La Grande Maison, St. Pierre Du Bois.

APPLICANT: Mr D Ferbrache

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: 17/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Location Plan DF-002B, Elevation drawing 002 and Shanette 001 & 003

Application Ref: FULL/2022/0929

Property Ref: F013730000

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 16/06/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house currently known as La Devise De Haut. Any use in connection with a trade or business 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/2022/0929
Property Ref: F013730000
Valid date: 24/05/2022
Location: La Devise De Haut Rue De La Grande Maison St. Pierre Du Bois Guernsey GY7 9AL
Proposal: Erect workshop/store to south-east boundary.
Applicant: Mr D Ferbrache

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 proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house currently known as La Devise De Haut. Any use in connection with a trade or business would require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

La Devise De Haut is a detached dwelling situated to the east of Rue De la Grande Maison.

The application relates to the erection of a detached, pitched roof building to be situated to the rear of La Devise De Haut and adjacent to the south site boundary. The building (7m deep x 10.225m long x 4.445m tall (3.2m to eaves)) has been designed with flat panel walls and profile sheet roof incorporating ridge level rooflights. Roller shutter doors are proposed to both the southwest and northwest elevations along with a window and pedestrian door to the northwest elevation.

The proposed building would sit within the recognised domestic garden serving La Devise De Haut.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan. The site is also identified as a redundant glasshouse site in the IDP.

Relevant History:

Historically, glasshouses have been present on the site, both to the east and north of the dwelling. A packing shed was positioned between two glasshouses running along the northern site boundary. The glasshouses to the east of the dwelling have been removed. The glasshouse to the immediate north of the dwelling remains insitu along with the packing shed structure.

FULL/2020/1639 – change of use of agricultural land to domestic garden – refused

Pre-application advice was sought in this case and it was recommended that the position of the outbuilding be adjusted to ensure it sat entirely within the recognised garden serving La Devise De Haut.

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:

Island Development Plan policies:

GP1: Landscape Character and Open Land
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

The proposed outbuilding will be situated to the rear/east of the main dwelling and given its position in relation to the dwelling and other built development on the site would not have an unacceptable impact on the open landscape character of the area.

Although the building has a functional design and appearance, its position in relation to the dwelling and limited height ensure that the building represents a good standard of design that will respect the local built and open landscape concerned.

There are no residential neighbours immediately adjoining the site therefore the building will not result in overshadowing or loss of privacy to surrounding residents.

Given existing site landscaping and the modest height of the building it is not considered necessary to require additional landscaping to be introduced. The outbuilding will provide the occupiers of La Devise De Haut with additional accommodation to be used for any purpose incidental to the enjoyment of the dwellinghouse. The scheme therefore offers flexible and adaptable accommodation that can respond to the needs of occupiers over time. The accommodation is also on a single level that will offer access to and within the building for people of all ages and abilities.

It is reasonable to impose an informative note relating to the use of the building as ancillary domestic accommodation only.

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 development.

Recommendation:

Grant with Conditions



Date: 17 June 2022

