

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: Widen existing vehicle opening on north boundary, erect single storey extension to side (west) and south (rear) elevation, raise ridge height and re-roof garage to west (side) elevation and alterations to fenestration.

LOCATION: Courtil Ricard, Rue Du Marais, Vale.

APPLICANT: Mr S Simon & Miss D McIver

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: 01/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Drawing Nos: 1028-01 B1A & -01 B2A.

Application Ref: FULL/2022/1255

Property Ref: C01522A000

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.Within four weeks of the demolition of the existing roadside wall, the replacement wall and the ends of the enlarged access shall be finished off using materials and a method of construction which match the remainder of the existing roadside wall.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 31/10/2025 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/2022/1255
Property Ref: C01522A000
Valid date: 01/07/2022
Location: Courtil Ricard Rue Du Marais Vale Guernsey GY3 5AH
Proposal: Widen existing vehicle opening on north boundary, erect single storey extension to side (west) and south (rear) elevation, raise ridge height and re-roof garage to west (side) elevation and alterations to fenestration.

Applicant: Mr S Simon & Miss D McIver

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. Within four weeks of the demolition of the existing roadside wall, the replacement wall and the ends of the enlarged access shall be finished off using materials and a method of construction which match the remainder of the existing roadside wall.

Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Courtil Ricard' is a 1970's bungalow which is set back from and faces north onto Rue du Marais, there are neighbouring properties to the east and west and across the road to the north, to the south is an old vinery. The property is located Outside of the Centres and within a Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2021/2304 – Install external insulating render system and erect fence to west boundary – Approved January 2022.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP1: Landscape Character and Open Land
GP4: Conservation Area
GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

This application proposes to widen the existing vehicular opening and to rebuild the roadside boundary wall, to erect a single storey extension to the west side and rear elevations, alterations to the fenestration, and finally to raise the ridge height and re-roof the garage.

The rear extension and changes to the garage proposals achieve a good standard of design, using materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new extension and garage are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impacts on either of the immediate neighbours.

The character of the area consists of a series of granite boundaries walls some with hedge planting behind, giving a rural appearance up and down the road. The existing north boundary wall is made up of a high granite wall at the west end and then large granite pieces, known as a 'boulder wall' along the middle section (700mm high), with the vehicular opening at the eastern end.

The application initially was to create a new opening at the western end of the north boundary, so the property had two vehicular accesses. However, it is not a traditional feature of the area and was thought to detract from the special character and appearance of the conservation area.

The application was deferred and the second vehicular access has been removed, instead the request is to enlarge their existing access to 6m and replace the boulder wall with a dressed granite wall 850mm. This would give more turning space on site as the boulder wall was over 1m wide in sections.

Annex VII of the IDP describes the different Conservation Areas, and Les Mielles Conservation Area says 'Construction materials are relatively uniform throughout the Conservation Area, predominantly comprising local grey/blue stone walls and slate or clay pan-tile roofs. Low roadside walls are common, constructed of local stone... Roadside walls are formal in appearance, often rendered and sometimes with railings at the larger dwellings, but more often bare grey/blue stone with stone or brick copings at the cottages.' The formal appearance of the replacement roadside wall would reflect the character and appearance of existing walls along the highway and would conserve the character and appearance of the Conservation Area.

Enlarging the existing opening from 4.6m to 6m will still leave over 21m of granite boundary wall, which helps to preserve the special character and appearance of the surrounding Conservation Area. Together with the narrow width of the highway and the geometry of the access relative to the highway, enlarging the existing entrance as proposed is considered appropriate in this instance.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 01/11/2022