

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 extension to south-west elevation and infill extension to outbuilding/stables, install sand school and hardstanding and widen vehicle access.

LOCATION: Courtil Jardin, Rue De L'Eglise, Castel.

APPLICANT: Mrs Dallamore

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: 18/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 5976/S/2a, Entrance elevation (04/08/22) & JM Baudains Sand school section (14/11/22).

Application Ref: FULL/2022/1441

Property Ref: D006890000

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 stables, sand school and outbuilding hereby permitted shall be used for a purpose personal to the owners/occupiers of the dwelling currently known as Courtil Jardin and shall not be used in connection with any livery, schooling or business.

Reason - To define the permission for the avoidance of any doubt and to protect the reasonable amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 17/11/2025 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/2022/1441
Property Ref: D006890000
Valid date: 04/08/2022
Location: Courtil Jardin Rue De L'Eglise Castel Guernsey
Proposal: Erect extension to south-west elevation and infill extension to outbuilding/stables, install sand school and hardstanding and widen vehicle access.

Applicant: Mrs Dallamore

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).

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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 stables, sand school and outbuilding hereby permitted shall be used for a purpose personal to the owners/occupiers of the dwelling currently known as Courtil Jardin and shall not be used in connection with any livery, schooling or business.

Reason - To define the permission for the avoidance of any doubt and to protect the reasonable amenities of neighbouring residents.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Courtil Jardin' is a pre-1900's dwelling which is located to the south of Route de L'Eglise, it has a small garden and has purchased the field directly to the south, with a vehicular opening onto Rue Piette to the east. It is the field which is subject to this application, (the field has had a change of use and is now part of the domestic curtilage of Courtil Jardin). There are other residential properties to the north and south of this field with agricultural open land (APA) to the west. The site is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/2173 – Erect outbuilding and stables to southeast boundary and install post and rail fencing and gates – Approved November 2021.

FULL/2019/2374 – Change of use of agricultural land to domestic garden – Approved January 2020.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

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

Conclusion/Brief comment:

This application is to erect an extension to the southwest elevation of the stables, noted as an outbuilding and infill the space between the two existing buildings for a store room. Install a sand school area with associated fencing and gate and provide hardstanding in front of the stables. Finally widen the existing vehicular entrance to 5.5m.

The two small extensions are considered to be of an appropriate size and scale that would complement the existing structures, made of the same materials and gives the homeowner more space to house all the horse equipment in the same place as the horses.

The hardstanding and sand school are thought to be appropriate additions that are associated with the care of horses. The sand school is located away from neighbouring properties. The eastern boundary offers appropriate screening from the road so there are no public views of the field from this direction.

The sand school is to be excavated and filled to make up the necessary layers, the finished level will be the same as the existing ground level, all of which is considered acceptable.

The existing vehicular entrance is just under 4m and is at an acute angle from the road, which makes it feel smaller than it is, plus the sight lines looking south are very limited. The proposal is to enlarge the vehicular opening by 1.5m removing some of the earthbank and hedgerow to the south of the opening.

The new opening will allow for slightly better sight lines when leaving the site, which will improve highway safety and this in this instance is an acceptable proposal. The proposals are not thought to impact on the character of the area, nor will they have any effects on neighbour amenity.

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: 16/11/2022

