

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 sub-divide dwelling to create 3 dwellings and associated parking and landscaping - erect single storey extensions and solar panels and alter boundary fencing to east (rear) of property of all 3 units.

LOCATION: La Grande Lande Vinery, La Grande Lande, St. Saviour.

APPLICANT: Mr & Mrs J De Garis

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: 13/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Geoff Le Friec: 2203 / 01, 02, 03 & 04

Application Ref: FULL/2022/1717

Property Ref: E00619B000

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 04/11/2024.

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 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 5/11/2021, issued under planning application reference FULL/2021/2139, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 04/11/2024 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/2022/1717
Property Ref: E00619B000
Valid date: 13/09/2022
Location: La Grande Lande Vinery La Grande Lande St. Saviour Guernsey GY7 9YY
Proposal: Variation to previously approved plans to sub-divide dwelling to create 3 dwellings and associated parking and landscaping - erect single storey extensions and solar panels and alter boundary fencing to east (rear) of property of all 3 units.
Applicant: Mr & Mrs J De Garis

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 04/11/2024.

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 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 5/11/2021, issued under planning application reference FULL/2021/2139, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The dwelling at La Grande Lande Vinery is situated to the east of La Grande Lande. It is a detached bungalow with verandas to the front and rear. The property is set back from the road and the roadside boundary is marked by an earthbank. The front and side garden (north) are lawned with various trees to the north of the dwelling. The property has a pitched, tiled roof and PVCu windows and doors. A flat roof extension exists to the rear of the dwelling and forms a sun lounge overlooking the pool area to the east of the dwelling. A flat roof link provides access to the pitched roof double garage to the south of the dwelling which also benefits from ancillary residential accommodation to the rear accessed via the garden. A poolhouse is situated in the northeast corner of the enclosed rear garden. The rear garden is enclosed to the north and part of the east boundary by a high wall (incorporating shed and woodstore) with pedestrian access in the east boundary to the agricultural land/former horticultural site to the rear. The rear garden has been divided between the pool area to the rear of the main house and lawn to the rear of the garage. The lawned area to the rear of the garage is enclosed by a timber fence and a shed (boiler house) in situ. The north boundary of this part of the garden is open, offering access to the land to the east of the property.

Vehicular access is to the south of the dwelling and is shared with the former vinery site. Access is via the south boundary and hardstanding and turning exist to the front of the double garage. The south boundary with the vinery access is marked by a fence.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Planning permisison was granted in 2021 to sub-divide the dwelling to create 3 dwellings and create associated parking and landscaping. Works do not appear to have commenced on site.

Planning permission is now sought to vary the permission FULL/2021/2139 to erect single storey extensions and solar panels and alter boundary fencing to east (rear) of property of all 3 units.

Relevant History:

FULL/2021/2139 - Sub-divide dwelling to create 3 dwellings and associated parking and landscaping - Granted

The extent of domestic garden associated with the existing dwelling was defined by the Planning Service in 2018. It incorporates the land to the north of the dwelling and the land between the walled garden of the dwelling and access driveway to the east.

Existing Use(s):

01 dwellinghouse

28 agriculture

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:

OC1: Housing Outside of the Centres

GP8: Design

GP9: Sustainable Development

IP7: Private and Communal Car Parking

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 proposal seeks to erect a single storey flat roof extension to each of the approved dwellings. The extensions will serve as a lounge for dwelling 1, a kitchen for dwelling 2, and a kitchen/shower room for dwelling 3.

The agent has marked on the drawing the size of each dwelling approved and the size of a proposed extension which would be less than 20% of the overall floor area of each dwelling.

Policy OC1 states that:

“The subdivision of a dwelling into two or more self-contained units or into a house for multiple occupation will only be supported where:

- a. the resultant development would be compatible with the character and amenities of the surrounding area; and,*
- b. the development would be acceptable in terms of provision of a satisfactory living environment and amenities; and,*
- c. the subdivision would not involve more than a modest extension to the existing building to create adequate accommodation and the extension is not of such a scale that it forms a significant part of any new unit.”*

The size of the proposed extensions would be ‘modest’ for the purposes of Policy OC1 as it would represent a limited sized addition to each respective dwelling, and does not form a significant part of any new unit created.

Each extension is located to the rear of the application site, are single storey, and adopt a good standard of design by virtue of the scale, form, massing, siting, materials and appearance.

Due to the position and design, the proposal will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents, including the new dwellings approved.

The extensions, together with the overall size of each unit, would be compatible with the character and amenities of the surrounding area and would result in a satisfactory living environment and amenity for the purposes of Policy OC1.

All other alterations are acceptable, including the change in boundary treatment and solar panels.

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: 06/12/22

