

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 1.5 storey detached garage/store with external staircase to west of property (Protected Building).

LOCATION: Les Prevosts Farm, Les Prevosts Road, St. Saviour.

APPLICANT: Mr B Scott & Miss E Gray

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: 24/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Ltd: 22-232-01 & 02

Application Ref: FULL/2022/1976

Property Ref: E003950000

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.No development, including site works, shall begin on site until proposals for the protection, during the construction period, of the trees to the west of the garage have been submitted to and approved by the Authority. Such means of protection as may be approved shall be implemented in accordance with the approved scheme.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

Expiry Date: This permission will cease to have effect on 23/11/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage and store to be used only for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling nor any use in connection with a trade or business. These would require a separate grant of planning permission and involve different planning policy considerations.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738 , 01481 709739 or

mobiles 07781 102219 or 07781 131061.

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/2022/1976
Property Ref: E003950000
Valid date: 06/10/2022
Location: Les Prevosts Farm Les Prevosts Road St. Saviour Guernsey GY7 9UH
Proposal: Erect 1.5 storey detached garage/store with external staircase to west of property (Protected Building).

Applicant: Mr B Scott & Miss E Gray

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. No development, including site works, shall begin on site until proposals for the protection, during the construction period, of the trees to the west of the garage have been submitted to and approved by the Authority. Such means of protection as may be approved shall be implemented in accordance with the approved scheme.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage and store to be used only for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling nor any use in connection with a trade or business. These would require a separate grant of planning permission and involve different planning policy considerations.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

OFFICER'S REPORT

Brief Description of the site:

Les Prevosts Farm is a detached dwelling situated to the north of Les Prevosts Road and the property benefits from an extension and conservatory to the rear along with extension to the side, projecting from the east of the dwelling, south to the roadside boundary. A detached garage exists to the northeast of the dwelling. Vehicular access is provided to both the east and west of the dwelling.

The application relates to the erection of a detached, triple garage with timber clad exterior and slate roof. An external staircase is proposed to the eastern end of the building, adjacent to the main house providing access to a first floor store room served by two pitched roof dormer and a gable feature in the north elevation.

The application site is located Outside of the Centres, within a Conservation Area and Agriculture Priority Area as designated in the Island Development Plan. Les Prevosts Farm itself is a Protected Building.

Relevant History:

CLU/2022/1991 - Regularise use of the whole of the land parcel as domestic garden (14,215 sqm) (Residential Use Class 1) - approved

Existing Use(s):

01 dwellinghouse

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:

GP4: Conservation Areas
GP5: Protected Building
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Consultation

States Archaeologists – the proposed detached garage has moderately deep foundations and is under 200m from the Iron Age settlement site at Les Tranquesous, for this reason I would be grateful if you could place an informative note on any approval to the effect that if anything of archaeological interest is discovered during the ground works then the States Archaeologists should be contacted.

Conclusion/Brief comment:

The design and appearance of the garage is considered appropriate in this rural location, the development as proposed respects both the built environment and open landscape concerned. The building is detached from but adjacent to a Protected Building but will not have an unacceptable impact on the setting of this

building given that it is set back from the front façade of the building and will be seen as subservient and ancillary to it.

There are not residential neighbours and the outbuilding will not have a detrimental impact on residential amenity in relation to overlooking or loss of privacy.

The application is for a domestic outbuilding that is stated to be used as a garage and store. The one and a half-storey building represents efficient and effective use of land. The accommodation may however, be used for any other purpose which is incidental to the enjoyment of the dwelling. This may include but is not limited to use as a games room, craft room, storage etc. Any other use (e.g. as a self-contained dwelling unconnected with Les Prevosts Farm) would need to be the subject of a separate application considered against the policies in place at that time. The principle of constructing a domestic outbuilding is therefore acceptable.

It is noted that there are a number of trees to the west of the proposed garage building and the drawings show these to be in close proximity to and overhanging the building. In order to provide protection to the largest tree to the northwest of the garage building which is a feature in the street and Conservation Area it is appropriate to impose a condition relating to root protection areas.

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 outbuilding.

Recommendation:

Grant with Conditions



Date: 17 November 2022