

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: Extend and alter at ground and 1st floor level, raise roof ridge height to create 1st floor level and link extension from existing garage to main dwelling, install solar panels to west (front) elevation and alterations to fenestration.

LOCATION: Maison Des Juliennes, Rue Des Juliennes, St. Pierre Du Bois.

APPLICANT: Mr & Mrs P Body

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: 28/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Stackhouse Design Ltd - 22-07-02A, 19A, 20B, 21B, 22B, 23B, 24A, 25A, 26A, 27A, 28 & 29.

Application Ref: FULL/2022/2005

Property Ref: F00384A000

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.Prior to the hereby approved gates to the front (west) of the property being installed on site, full details of the gates, including the height, width, materials, and their appearance, shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The submitted information does not include full details of the proposed feature. Further information is needed to ensure that the approved gates adopt a good standard of design in the interests of visual amenity and to respect the character of the area.

5.This permission confers no consent for the erection of a pool enclosure.

Reason - To define the permission for the avoidance of doubt. There is insufficient information to fully consider this element of the proposals.

Expiry Date: This permission will cease to have effect on 27/04/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term)

to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum as much as possible.

For the avoidance of doubt, this decision permits the first floor accommodation above the existing garage to be integral part of and ancillary to the principal dwelling presently known as Maison Des Juliennes. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2022/2005
Property Ref: F00384A000
Valid date: 29/11/2022
Location: Maison Des Juliennes Rue Des Juliennes St. Pierre Du Bois
Guernsey GY7 9EY
Proposal: Extend and alter at ground and 1st floor level, raise roof ridge
height to create 1st floor level and link extension from existing
garage to main dwelling, install solar panels to west (front)
elevation and alterations to fenestration.
Applicant: Mr & Mrs P Body

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. Prior to the hereby approved gates to the front (west) of the property being installed on site, full details of the gates, including the height, width, materials, and their appearance, shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The submitted information does not include full details of the proposed feature. Further information is needed to ensure that the approved gates adopt a good standard of design in the interests of visual amenity and to respect the character of the area.

5. This permission confers no consent for the erection of a pool enclosure.

Reason - To define the permission for the avoidance of doubt. There is insufficient information to fully consider this element of the proposals.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum as much as possible.

For the avoidance of doubt, this decision permits the first floor accommodation above the existing garage to be integral part of and ancillary to the principal dwelling presently known as Maison Des Juliennes. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

Maison Des Juliennes comprises a large detached dwelling which is set back from Rue Des Juliennes. A large area of hardstanding exists to the front of the property with two detached outbuildings along the south site boundary. A swimming pool exists to the east/rear of the dwelling.

The site is located Outside of the Centres and is within an Agriculture Priority Area as designated in the Island Development Plan. An adjacent property to the south is a Protected Building.

The application principally relates to erecting a first floor extension above the existing porch (front/west elevation), erecting first floor pitched roof extensions to both the north and south elevations, the creation of a first floor link between the original house and the existing garage to the front and alterations to the garage roof, and erecting a two storey pitched extension to the rear (east) elevation. Other alterations include installing solar panels to the front, together with alterations to the fenestration. The extensions will seek to reconfigure the ground and first floor, and primarily features a number of bedrooms, dressing rooms and ensuites at first floor level.

The application was deferred in order to attempt to limit the 'visual mass' of the development when read in the street scene. The agent has subsequently reduced the height of the extensions on both the north and south elevations in an attempt to overcome these concerns.

A pool enclosure was also shown on the plans as initially submitted. Full details of the proposed pool enclosure were requested given that no elevational drawings were provided as part of the original submission. In response, the agent has decided to omit these details from the application as confirmed in their e-mail of 26th April 2023.

Relevant History:

FULL/2011/1204	Erect a triple garage and alter driveway.	Granted
----------------	---	---------

Existing Use(s):

Residential – dwelling-house

Assessment: *(Tick as appropriate)*

no representation
accords with policy

☒
☒

visual amenity acceptable
no material neighbour impact

☒
☒

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

Island Development Plan policies:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Comments - La Société Guernesiaise:

In respect of this application, we would like to highlight that buildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby. The ongoing Bailiwick Bat Survey has shown that there are bat populations in this particular part of the island.

We would recommend that the buildings, in particular the roofspaces, be inspected for current or recent use by bats by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.

We would request that, if these applications are considered further, an informative note be added to the Information Sheet as follows –

‘Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

We would also highlight the environmental impact of light pollution on many types of wildlife such as birds, bats and insects. Such pollution can be particularly problematic when introduced into a landscape such as this one, where existing sources of artificial light are relatively sparse.

We would ask that the Planning Service consider this aspect in relation to the applications. We would further request that, if these applications are approved, an informative note be added to the Information Sheet as follows –

'Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum as much as possible'.

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.

In light of the additional information submitted, the overall design of the proposal is acceptable in terms of its scale, form, massing, siting and materials. The proposed extensions increase the mass and bulk of the original dwelling-house, although they are proportionate to the size of the house and would not cause undue harm to the character or appearance of the surrounding area, or the amenities of neighbouring residents. The proposal would accord with the provisions of both policy GP8 and GP13.

Despite the extensions and alterations close the south boundary, the proposal would not affect the setting of the protected building to the south of the application site.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development). Final details of the solar panels proposed have not been provided, however installation as proposed would comprise exempt development (once the extension is constructed) and further details are not required in this instance.

It is also considered reasonable to attach an informative to the decision to reflect the comments from La Société Guernesiaise with regards to bats and light pollution. Moreover, due to the lack of a first floor link between the main house and the habitable accommodation created above the existing garage, it is reasonable to attach an informative to the decision to highlight that the accommodation is to be used for ancillary purposes only, any separate use would require different policy considerations.

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: 27/04/23

