

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: Demolish pigsties, erect single storey detached garage/workshop to north-west boundary.

LOCATION: No.1 La Heche, Route De La Passee, St. Sampson.

APPLICANT: Mr P Ferbrache

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: 22/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: PF-22-1098-02A & 03A

Application Ref: FULL/2022/2307

Property Ref: B01864B000

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.

Expiry Date: This permission will cease to have effect on 21/03/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that the garage hereby approved is to be used only for purposes incidental to the enjoyment of the dwelling house. Any conversion for the creation of a separately occupied annex, an independent dwelling, or for use in connection with a trade or business would require a separate grant of planning permission.

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/2022/2307
Property Ref: B01864B000
Valid date: 30/11/2022
Location: No.1 La Heche Route De La Passee St. Sampson Guernsey
Proposal: Demolish pigsties, erect single storey detached garage/workshop to north-west boundary.

Applicant: Mr P Ferbrache

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.

INFORMATIVES

The applicant is advised that the garage hereby approved is to be used only for purposes incidental to the enjoyment of the dwelling house. Any conversion for the creation of a separately occupied annex, an independent dwelling, or for use in connection with a trade or business would require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

The site is wedge shaped divided from the three La Heche cottages directly to the south-east by the access track to the agricultural land which lies to the south-west of the site. The access from Route de la Passee is located to the northern side, and a mature boundary hedge runs along the northwest of the site.

The site is located Outside the Centre and is not within the Agriculture Priority Area.

Relevant History:

FULL/2017/0381 – Extend domestic curtilage and erect boundary wall (Approved)

Existing Use(s):

01 Residential Dwelling

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

GP8 – Design

GP9 – Sustainable development

GP13 – Householder development

Conclusion/Brief comment:

The proposed development comprises of a new triple garage, approx. 8.5m by 10m and 7m in height with a gable ended pitched roof. There is a small, attached flat roof home workshop with WC located to the rear which is 2m by 6.3m. There is no first-floor accommodation, and the materials proposed include granite to the frontage, rough render gables and rear with slate over.

The site is located in a semi-rural/suburban area within a ribbon development of residential properties along this section of the highway. The area of land subject of this application provides a brief gap between dwellings and provides a view towards open land to the rear (south-west) of dwellings fronting onto the highway. However, this view of open land is disrupted by a number of scattered dwellings which are set back from the highway and trees which prevent any wider views of open land. The proposed garage would therefore not affect any important views of open land and would have no unacceptable detrimental impacts on the landscape character of the area.

The garage has been reduced in scale at the request of the planning officer, a reduction in the width by 1m has ensured that the garage does not fill the entire width of the plot and is located a sufficient distance to prevent harm to the existing boundary hedge. Although the proposed garage remains of a significant scale, this reduction has, on balance, reduced the physical width sufficiently to ensure there is no harm in the character of the area and no loss of existing boundary hedging. In addition, there are similar sized outbuildings located to the rear of dwellings in the vicinity and the use of acceptable materials should ensure that the proposed garage is of a good standard of design.

The erection of a garage in this location is considered acceptable under policy GP13 as ancillary works within the curtilage of the dwelling and is a reasonable aspiration of the property owner to improve functionality.

The proposed garage is not considered to have significant impacts on neighbouring amenity, it is located to the northwest of the neighbour, 8m from the front elevation at the closest point, and is offset from the rear amenity space of the dwelling to the north. This is considered sufficient to avoid a significantly harmful loss of light or overshadowing and prevent any loss of neighbouring amenity.

The repositioning of the existing car parking spaces is not considered to result in any significant harm in terms of visual impact or amenity.

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: 20/03/2023

