

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: Reconstruct roadside wall to west boundary.

LOCATION: La Maison De Coin, La Rue Du Gouffre, Forest.

APPLICANT: Mr S Hagan

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: 28/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates - 22 - 041 - 01B

Application Ref: FULL/2023/0023

Property Ref: H003490000

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 granite wall hereby approved shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone wall along the west boundary and situated to the north of the existing gate pillar, as indicated on drawing number 22-041-01B.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 27/03/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as La Maison de Coin.

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/2023/0023
Property Ref: H003490000
Valid date: 16/01/2023
Location: La Maison De Coin La Rue Du Gouffre Forest Guernsey GY8 0BN
Proposal: Reconstruct roadside wall to west boundary.
Applicant: Mr S Hagan

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.

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Reason - In the interests of visual amenity.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as La Maison de Coin.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'La Maison du Coin' begun life as a 19th century two storey granite faced farmhouse which is set back from and faces west onto La Rue du Gouffre. It has a 1930's barn structure on the east boundary, a second outbuilding was constructed around 2000 and further construction linking the house with the outbuilding in 2005. La Rue des Fontenelles runs along the northern boundary, there is one neighbouring property to the east and others across the road to the north and west and to the south is an area of agricultural land and a Site of Special Significance beyond. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2022/2202 – Install single storey pool room extension to west elevation, enlarge balcony and alter external steps to south elevation, install cladding and alterations to fenestration to existing outbuilding – Approved February 2023.

FULL/2022/2194 – Change external door at 1st floor level and alter external steps to south (side) elevation – Approved February 2023.

FULL/2014/2104 - Reconstruct douit, install drainage and repair roadside wall (Revised) – Approved October 2014.

Existing Use(s):

Agricultural use class 28.

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

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

OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Conclusion/Brief comment:

This application is to reconstruct part of the roadside wall along the south end of the west boundary, which bounds agricultural land to the south of the main dwelling.

From visiting the site the remains of the wall can be seen on site with the loose granite lining the inside of the boundary.

The application was deferred to establish the design of the wall. Initially it was shown to have a rendered blockwork inner leaf, which was considered to be too domestic for a boundary for agricultural land in a rural location. The first revision explained the reason for the inner leaf, it was because the applicant intends to form a bank/hedge line within the wall perimeter. The exact extent of this bank/hedge has yet to be established hence it has not been shown to date. Depending on the height and scale of the bank, it may require planning permission and it is suggested that a pre-application is submitted once the extent of the bank has been resolved.

However, should the bank not be put in place then the wall would still look overly domestic for a boundary for agricultural land in a rural location. The agent changed the design of the wall to a free standing low granite wall, which is much more in keeping with the rest of the wall surrounding the rural site. A condition will be added to ensure the proposed wall matches the existing wall which lines the same boundary a bit further north (the pictures on the approved drawing).

The area has numerous low granite walls as property roadside boundaries, therefore reconstructing this part of the boundary would not have any adverse effects on the character of the surrounding area, nor would the proposals have any detrimental impacts on any neighbour amenity.

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: 28/03/2023