

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 existing shed, erect summer house to north boundary.

LOCATION: Brierly, Les Salines Road, St. Sampson.

APPLICANT: Mr P Herve

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: 18/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan (27/02/23), Hand drawn plans/elevations & Woodlands Log Cabins brochure page (both 13/02/23).

Application Ref: FULL/2023/0351

Property Ref: B015860000

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 constuction of the summerhouse, full details of the additional planting to extend the existing north boundary hedge along the north elevation of that structure (including the type of hedge and planting densities) shall be submitted to and approved in writing by the Authority. The new hedge plants shall be planted in accordance with the approved details in the first planting season following the erection of the summerhouse. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the existing gap in the north boundary hedge is filled with a new hedge and is planted in a timely manner to provide screening to the structure hereby approved, in the interests of the character of the locality.

Expiry Date: This permission will cease to have effect on 17/05/2026 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/2023/0351
Property Ref: B015860000
Valid date: 27/02/2023
Location: Brierly Les Salines Road St. Sampson Guernsey GY2 4WL
Proposal: Demolish existing shed, erect summer house to north boundary.

Applicant: Mr P Herve

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 construction of the summerhouse, full details of the additional planting to extend the existing north boundary hedge along the north elevation of that

structure (including the type of hedge and planting densities) shall be submitted to and approved in writing by the Authority. The new hedge plants shall be planted in accordance with the approved details in the first planting season following the erection of the summerhouse. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the existing gap in the north boundary hedge is filled with a new hedge and is planted in a timely manner to provide screening to the structure hereby approved, in the interests of the character of the locality.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Brierly' is a one and a half storey early 20th century dwelling which is located on a corner plot, with Les Salines Road to the north and Rue Sauvage to the west and other detached neighbouring properties to the south and east. The property has a vehicular access off Les Salines Road in the east end of the north boundary and a larger second vehicular access from Rue Sauvage in the south end of the west boundary. There is a detached garage in the southeast corner and a shed to the north of the dwelling close to the north boundary. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP8: Design

GP13: Householder Development

Conclusion/Brief comment:

This application is to demolish the existing shed and replace it with a slightly larger summer house. The summer house would be located on the existing concrete pad which is underneath the existing shed. The summer house's north elevation would be in exactly the same place as that of the shed.

The shed was erected at some point in the 1970's and has remained in place ever since. The summer house is 550mm wider than the shed and a total of 250mm higher, with the same gable profile as the shed.

Due to the fact the summer house is only slightly larger than the existing shed, the summer house is unlikely to have any detrimental impacts on the character and appearance of the surrounding area, and nor will it impact on any neighbour amenity.

In order to shield the new northern gable of the summerhouse from the road the applicants are in agreement to plant one or two more hedge plants in line with the existing hedge, to infill an existing gap and screen the summerhouse, this will be conditioned.

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: 16/05/2023

