

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 existing dwelling to incorporate flat; Change of use of garden store to form new flat. Internal and fenestration alterations (Protected Building).

LOCATION: La Carriere, Le Bigard, Forest.

APPLICANT: Mr & Mrs P Deane

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: 10/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3188-DR-001, 101, 105A, 300A, 301A, 302, 303

Application Ref: FULL/2023/0460

Property Ref: H000170000

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 existing flat within the main house shall not be occupied as part of the main house until such time as the new flat hereby approved within the garden store has been completed.

Reason - To ensure there is no loss of housing stock.

5.The new flat hereby approved within the garden store shall not be occupied until such time as the works hereby approved to incorporate the existing flat within the accommodation serving the main house have been completed.

Reason - The proposal is for the reorganisation of the residential units at the site only. A proposal to create additional units at the site would require different planning policy considerations.

6.Prior to the laying of any decking, details of the extent and materials proposed shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature. This condition is imposed to make sure that the decking is of satisfactory design and does not have any adverse impact on the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 09/07/2026 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/2023/0460
Property Ref: H000170000
Valid date: 10/03/2023
Location: La Carriere Le Bigard Forest Guernsey GY8 0HY
Proposal: Extend existing dwelling to incorporate flat; Change of use of garden store to form new flat. Internal and fenestration alterations (Protected Building).

Applicant: Mr & Mrs P Deane

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. The existing flat within the main house shall not be occupied as part of the main

house until such time as the new flat hereby approved within the garden store has been completed.

Reason - To ensure there is no loss of housing stock.

5. The new flat hereby approved within the garden store shall not be occupied until such time as the works hereby approved to incorporate the existing flat within the accommodation serving the main house have been completed.

Reason - The proposal is for the reorganisation of the residential units at the site only. A proposal to create additional units at the site would require different planning policy considerations.

6. Prior to the laying of any decking, details of the extent and materials proposed shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature. This condition is imposed to make sure that the decking is of satisfactory design and does not have any adverse impact on the special interest of the protected building.

OFFICER'S REPORT

Site Description:

The application site comprises a traditional farmhouse, which has been extended in a linear manner before 1900 and subsequently linked to the outbuildings to the south, which themselves have also been extended in an L-shaped formation. The site is set to the south of Rue de la Corbiere and to the east of La Rue du Bigard, with residential properties located to the south-east and across the roads to the north-east and east. The site is bounded by agricultural land to the west and south, and across the road to the north.

The linear run of buildings to the north of the site, including the dwellinghouse, are protected. The L-shaped block of buildings to the south do not form part of the listing.

The site is located within an Agriculture Priority Area, Outside of the Centres within the Island Development Plan.

Relevant History:

None relevant.

Existing Use(s):

Residential

Brief Description of Development:

The application proposes to extend the accommodation within the existing dwellinghouse to incorporate the floorspace of the flat located at first floor level in the middle of that building, including internal alterations, and to undertake alterations within the adjacent library to provide a lift.

In addition, it is proposed to change the use of the garden store in the south-east corner of the building group to form a new flat, including the following works:

- Internal alterations, including insertion of new partitions and lining of internal walls;
- Creation of a double sliding doors within a new aperture (south elevation);
- Replacement of doors within existing aperture (east elevation);
- Creation of a decked area (south of building – area shown on elevations, but materials and extent not specified).

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

OC1	Housing Outside of the Centres
GP5	Protected Buildings
GP8	Design
GP9	Sustainable Development
GP12	Protection of Housing Stock
GP13	Householder Development

Representations:

None received.

Consultations:

None undertaken.

Summary of Issues:

Reorganisation of existing residential units;
Impact on the special interest of the protected building.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The proposal is for the reorganisation of the accommodation provided within an extended building in residential use, and would therefore fall to be considered primarily under Policy GP13 (Householder Development). The reorganisation would not result in any change to the number of residential units at the site, nor any adverse impacts on the quality of the living environment provided in either unit, but rather the enhancement of both units at the site, providing improved access and accommodation for both units.

Whilst Policies OC1 (Housing Outside of the Centres) and GP12 (Protection of Housing Stock) would not be directly applicable to the application as submitted, if the application were only partially implemented there could be a change to the number of units at the site, which would require assessment against the criteria of these policies. The decision should therefore be conditioned to require both elements of the proposal to be completed prior to the occupation of either, to ensure that the proposal results in neither the loss nor the addition of units at the site, as that would require different policy considerations.

Policy GP13 indicates that alterations and extensions to residential properties will be supported where there is no significant adverse impact on the amenities of adjoining properties; the design, scale, mass and form of development does not detract from the character of an open area; and there is no adverse effect on the special interest of a Conservation Area, Area of Biodiversity Importance, Protected Building or Protected Monument.

In this case, whilst the garden store does not form part of the listing of the site, the proposals for the main house must also satisfy the terms of Policy GP5, and meet the statutory duties with regard to protected buildings. In addition, Policies GP8 and GP9, relating to Design and Sustainable Development, would also be relevant to both parts of the application.

The works proposed to the main house are internal to the building and would not therefore have any adverse impacts on the exterior appearance of the building, character of the area or neighbour amenity.

Due to the amount of alterations previously made to the building, in this instance the proposals are reasonable aspirations of the property owner, which outweigh any harm to the protected building, in accordance with Policy GP5.

The works proposed to the garden store are limited, and also predominantly internal. The external alterations proposed, namely the installation of new doors within an existing aperture to the east elevation and within a new aperture to the south elevation, and the creation of decking, would have no adverse impacts, subject to the provision of details setting out the extent of the proposed decking.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

Overall, and subject to the conditions set out above, the proposal accords with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 06/07/2023

