

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 outbuilding, erect single storey detached outbuilding/dower unit to east boundary.

LOCATION: Rozel, Bouillon Road, St. Andrew.

APPLICANT: Mr & Mrs G Lavenne

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: 19/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTech Freelance Architecture: GL-23-1121-02

Application Ref: FULL/2023/0995

Property Ref: K003610000

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 18/07/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed outbuilding to be used as an integral part of and incidental to the principal dwelling presently known as Rozel. 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.

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Rozel. The curtilage of the property can be defined by undertaking a Property Search, further details of which can be found online: https://gov.gg/property_search

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/2023/0995
Property Ref: K003610000
Valid date: 15/06/2023
Location: Rozel Bouillon Road St. Andrew Guernsey GY6 8YN
Proposal: Demolish outbuilding, erect single storey detached outbuilding/dower unit to east boundary.

Applicant: Mr & Mrs G Lavenne

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

For the avoidance of doubt, this decision permits the proposed outbuilding to be used as an integral part of and incidental to the principal dwelling presently known as Rozel. 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.

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Rozel. The curtilage of the property can be defined by undertaking a Property Search, further details of which can be found online: https://gov.gg/property_search

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached property situated to the south of Le Bouillon Road and to the west of Route des Blicqs. Surrounding the site, the area comprises residential properties to the east and west, Blanchelande School to the north and agricultural fields to the south.

The site is situated Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

PAPP/1997/1773	Replace windows	Granted 27/05/1997
PAPP/1993/2726	Replace rear extension with two storey extension	Granted 02/09/1993
PAPP/1993/1808	Replace rear extension with two-storey extension	Granted 02/07/1993
PAPP/1993/0852	Replace rear extension with two-storey extension	Refused 06/05/1993

Existing Use(s):

Residential – Use Class 1

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 and Open Land

GP8: Design

GP9: Sustainable development

GP13: Householder development

Conclusion/Brief comment:

Planning permission is sought to demolish an existing outbuilding and to erect a replacement single storey outbuilding/dower unit situated along the eastern boundary of the site.

The replacement outbuilding will follow the same footprint as the existing and will be built with a flat roof attached to the large granite wall that borders the site to the east. The outbuilding will measure 15.6m in length by 3.9m in width and 3.1m at its highest point from ground level.

The proposed outbuilding is of an appropriate scale, mass and form so as not to detract from the openness of the surrounding area. Situated behind a large boundary wall to the east, screened by the existing property to the north and existing vegetation to the west, the proposal will be unseen from public vantage points within the surrounding area. The design of the scheme and the materials to be used will match the existing dwelling in-keeping with the character and appearance of the surrounding area.

Given the position of the proposal and its distance from any neighbouring residential properties, it will not have any significant impact on the amenities afforded by the occupiers with regard to sunlight, daylight or loss of privacy.

The proposed dower unit will comprise a lounge, kitchenette and a bedroom with en-suite facility. In support of the application the applicant's agent by letter (dated 19/05/23) has confirmed that the dower unit will be used for a purpose ancillary to the main use of the dwelling house by the applicant's daughter. The letter confirms that the garden space, patio area, utilities, storage and vehicle access and parking will all be shared with the occupiers of the main dwelling and that main meals will be taken in the main dwelling.

Although the floor space of the dower unit is relatively generous, the relationship of the occupier of the dower unit and the principal dwelling, the nature of use and facilities to be shared indicate that the additional accommodation would be subsidiary to and dependent upon the principal dwelling unit. In addition, the layout of the site, the close proximity and relationship between the principal dwelling and the outbuilding would not enable the site to be easily subdivided without compromising the amenity of both the outbuilding and the principal dwelling.

It is recommended that for the avoidance of any doubt an informative is included on any permission to ensure that the accommodation provided remains ancillary to the main dwellinghouse. Furthermore, not all of the land outlined in red on the application drawings is recognised as domestic curtilage for the property and it is recognised that an informative is included to this effect.

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

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: 19/07/2023

