

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: Erect 1.5 storey detached garage/home office and hardstanding to south boundary, and alter vehicle access to east boundary. (Protected Building).

LOCATION: Albecq Farm, Retot Lane, Castel.

APPLICANT: Mr P Crowson

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: 09/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7487-05/B1A & /B2A.

Application Ref: FULL/2023/1181

Property Ref: D010930000

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.For the avoidance of doubt, the rooflight to the rear (south) of the approved garage shall be installed at no less than 1.7m above finished floor level.

Reason - to protect the amenities of neighbouring residents as the information shown on the approved first floor plan is ambiguous.

5.For the avoidance of doubt, this decision permits the proposed garage shall only be used for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling, and shall not be used in connection with a trade or business as this would require a separate grant of planning permission and involve different planning policy considerations.

Reason - to clearly define the permission due to the distance between the proposed garage and the main house.

Expiry Date: This permission will cease to have effect on 08/10/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note that the Authority does not recognise all of the land shown on drawing 7487-05 B1 A within the same application site. The former Army and Navy stores building located to the north-west of the site although owned by the applicant is recognised as a separate planning unit as it has its own independent use, cadastre reference and therefore does not form part of the application site shown in red.

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/2023/1181
Property Ref: D010930000
Valid date: 29/06/2023
Location: Albecq Farm Retot Lane Castel Guernsey GY5 7EG
Proposal: Erect 1.5 storey detached garage/home office and hardstanding to south boundary, and alter vehicle access to east boundary. (Protected Building).

Applicant: Mr P Crowson

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. For the avoidance of doubt, the rooflight to the rear (south) of the approved garage shall be installed at no less than 1.7m above finished floor level.

Reason - to protect the amenities of neighbouring residents as the information shown on the approved first floor plan is ambiguous.

5. For the avoidance of doubt, this decision permits the proposed garage shall only be used for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling, and shall not be used in connection with a trade or business as this would require a separate grant of planning permission and involve different planning policy considerations.

Reason - to clearly define the permission due to the distance between the proposed garage and the main house.

INFORMATIVES

Please note that the Authority does not recognise all of the land shown on drawing 7487-05 B1 A within the same application site. The former Army and Navy stores building located to the north-west of the site although owned by the applicant is recognised as a separate planning unit as it has its own independent use, cadastre reference and therefore does not form part of the application site shown in red.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Albecq Farm' comprises a 15th century farmhouse with 19th century barns attached at either end of the building. The property is a Protected Building.

The dwelling faces onto Retot lane, with the road winding around the east gable of the property. A redundant glasshouse lies on agricultural land to the south-west of the site.

The former Army and Navy Stores which is located to the north-west of the application site falls under a separate cadastre reference and therefore does not form part of this application site, despite the drawings submitted.

The property is located Outside of the Centres as defined in the Island Development Plan.

A new vehicle access and parking area was approved as part of application reference FULL/2021/2647. The vehicle access has been subsequently implemented.

Planning permission is now sought to erect a 1.5 storey detached garage/home office and hardstanding adjacent to the south boundary, and to alter the vehicle access along the east boundary, by installing granite pillars and incorporating a planter to the north and south of the access point. (Protected Building).

It is noted that a number of trees will be planted along the edge of the planter to create a more private environment. A Chestnut tree will also be planted between the garage and the road in attempt to soften the proposed building.

The application was deferred as some concerns were raised with regards to the height of the rooflight to the south of the proposed garage and the potential impact on neighbour amenity. Clarification was also sought in relation to sightlines from the access point due to the position of the proposed pillars.

The agent has confirmed the roof light will be raised to 1.7m as shown on the south elevation and has positioned the pillars in a way that does not obstruct sightlines. Notwithstanding the Design Statement, the most recent letter from the agent dated 26th September 2023 notes that the “proposed planting will be low level ground cover planting” (and not trees).

Relevant History:

FULL/2023/1250	Install replacement windows and doors (Protected Building) (Revised Scheme).	Pending
FULL/2023/0221	Demolish pig sties, erect 1.5 storey extension and erect wall and gate to south (rear) elevation. (Protected Building).	Granted
FULL/2022/2060	Demolish pig sties, erect 1.5 storey extension and erect wall and gate to south (rear) elevation (Protected Building).	Withdrawn
FULL/2022/0573	Install replacement windows and doors. (Protected Building).	Refused
FULL/2021/2647	Demolish extension and outbuilding, demolish and rebuild chimneys. Erect extension and rooflight to south (rear) elevation, raise lean-to roof and install rooflight to east (side) elevation, install rooflight to north (front) and west (side) elevation and internal alterations, create new vehicle access and parking area to east boundary and block up existing vehicle access to north boundary (Protected Building).	Granted

FULL/2021/2454	Demolish and rebuild chimneys, replace roof covering, install parapet and remove section of render. (Protected Building).	Granted
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Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP5 Protected Buildings
GP8 Design
GP9 Sustainable development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

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.

The proposed 1.5 storey garage adopts a good standard of design by virtue of its scale, form, massing, and materials. Whilst the siting of the garage is not particularly well related to that of the main house by virtue of its relationship and distance (approximately 34m), it is reasonable to attach a condition to the decision to ensure that it does not become separated, or used for a trade or business.

The orientation and position of the garage has been carefully selected so that it respects the building line along Retot, sited perpendicular to the road, and set against the backdrop of vegetation to limit its visual impact. In addition, the proposal seeks to plant a Chestnut tree between the structure and the road which will further assimilate the development into its surroundings. Whilst this is good practice, it is not considered necessary to include the proposed tree therefore applying a condition to the decision would not be warranted. Similarly, the planter/low level planting scheme along the east boundary does not warrant a planning condition, albeit would help improve the visual quality and cohesiveness of the development.

With regards to highway safety, the revised plans still indicate interspersed trees along the east boundary, particularly to the north. The incorporation of trees would to some extent reduce visibility of traffic approaching the site from a north-south direction which does not represent good practice as it is likely to restrict sightlines. However, when taking into account the low traffic speeds and volumes along this road and that only the northern sightline would be affected, the degree of impact on highway safety is not considered unduly compromised to warrant refusal, or removal of the trees on the revised drawings submitted. Moreover, the agent has clearly stated in their letter of 26th September that low level ground cover planting is proposed, which would indicate that no trees are proposed which provides some reassurance.

In light of the amendments secured, the proposal will not cause harm to the amenities of neighbouring residents by virtue of the orientation, scale, and distance to the neighbouring property to the south, together with the revised cill height of the roof light on the southern elevation. To avoid any ambiguity, a condition regarding the cill height is required.

The setting of the protected building will not be affected.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, accords with the purpose of the Law, and the requirements of the material considerations; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 06/10/23

