

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 glasshouse, erect single storey garage/outbuilding to south of existing outbuilding. Infill existing vehicle access and create new gated vehicle access to west roadside boundary.

LOCATION: Les Jehans Farm, Rue Des Jehans, Torteval.

APPLICANT: Mr & Mrs R Ridout

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: 18/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 5246/G/1.

Application Ref: FULL/2023/1257

Property Ref: G001770000

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 stone to be used in the construction of the new works hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To secure the satisfactory appearance of the completed development and to respect the character and appearance of the Conservation Area.

5.Within four weeks of the new access being brought into use, the existing access shall be closed permanently with a granite wall to match the existing, in accordance with the details shown on drawing number 5246/1/2a.

Reason - To minimise the number of points of access and to respect the character and appearance of the Conservation Area.

6.No materials to be used on the exterior of the garage building shall be placed on the site until such time as a written schedule and samples of those materials have been submitted to and agreed in writing by the Authority. Only those materials so agreed shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development, in the interests of the character of the Conservation Area.

Expiry Date: This permission will cease to have effect on 17/08/2026 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/2023/1257
Property Ref: G001770000
Valid date: 12/07/2023
Location: Les Jehans Farm Rue Des Jehans Torteval Guernsey GY8 ORE
Proposal: Demolish glasshouse, erect single storey garage/outbuilding to south of existing outbuilding. Infill existing vehicle access and create new gated vehicle access to west roadside boundary.

Applicant: Mr & Mrs R Ridout

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 stone to be used in the construction of the new works hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To secure the satisfactory appearance of the completed development and to respect the character and appearance of the Conservation Area.

5. Within four weeks of the new access being brought into use, the existing access shall be closed permanently with a granite wall to match the existing, in accordance with the details shown on drawing number 5246/1/2a.

Reason - To minimise the number of points of access and to respect the character and appearance of the Conservation Area.

6. No materials to be used on the exterior of the garage building shall be placed on the site until such time as a written schedule and samples of those materials have been submitted to and agreed in writing by the Authority. Only those materials so agreed shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development, in the interests of the character of the Conservation Area.

OFFICER'S REPORT

Brief Description:

The application relates to the demolition of the glasshouse, erection of a single storey garage/outbuilding to the south of the existing outbuilding. Also, the infill of the existing vehicular access and create a new gated vehicular access to west roadside boundary at the dwelling Les Jehans Farm which is a traditional farmhouse.

The site is located Outside the Centre and within a Conservation Area as designated in the Island Development Plan. The property is a pre-1900 building.

Relevant History:

FULL/2017/3132 – Block up vehicular access and create new vehicle access

FULL/2019/1222 – Demolish existing glasshouse and erect double garage (west boundary).

Existing Use(s):

01 Dwellinghouse

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:

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable development
GP13: Householder development

Conclusion/Brief comment:

The application amalgamates two previous consents (2017/3132 and 2019/1222) which have now lapsed, into one application.

As previously considered in these applications the width of the vehicular access created is similar to that of the existing access and other accesses serving neighbouring properties. The design and materials of the proposed access is acceptable and compliant with Policy GP8. The blocking up and relocating the existing vehicular access will improve road safety and is considered a reasonable aspiration of the property owner to improve the access of the property and fields to the rear. The application is compliant with Policy IP9.

With regard to Policy GP4, the pattern of development of this Conservation Area is one of detached buildings separated by green spaces, whether those have the appearance of fields or gardens. The garden area which is shown to be hard-surfaced provides a space between stream-side fields to the east and open fields to the west which could contribute to both the Conservation Area and wider open views (Policy GP1). That green space would be eroded somewhat by the development proposed, although the hard surfacing proposed is likely to be exempt and therefore in this case would not be controllable.

The proposed wall will have a neutral effect on the character and appearance of the Conservation Area provided the stone to be used in the construction of the new works matches as closely as possible to the type, colour, texture, method of bonding and pointing of the existing stone. A condition to this effect is attached.

The existing glasshouse is in poor condition, and is not a valuable feature within the locality and therefore its removal would not adversely affect the character of the Conservation Area. The proposed garage is larger in bulk than the glasshouse, and would be a more prominent feature within the locality due to the increased height and bulk which would be visible over a boundary hedge that currently obscures the majority of the existing glasshouse.

The proposed garage would be visible in some long range views across the Conservation Area due to the open nature and topography of the area. However, at these ranges the garage would not appear significantly larger than the existing features, and would not be any more prominent than the large additions to the adjacent dwelling which have been constructed. Therefore it is considered that the proposed garage would not detrimentally effect the open character of the area.

On this basis, it is considered that the proposed garage would not result in a detrimental effect to the character or appearance of the Conservation Area in comparison to the existing features.

The application is compliant with all relevant policies, and 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: 18 August 2023

