

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: Sub-divide, extend and alter to create 2 dwellings and associated works.

LOCATION: The Cottage, Baissieres Place, Les Baissieres, St. Andrew.

APPLICANT: Executive Property Solutions Limited

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: 22/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Brian R Martel: 4238.02.01A, .02, .03A, .04, .05 & .06.

Application Ref: FULL/2023/1355

Property Ref: K000010000

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 covered cycle storage area (shown on approved plan 4238.02.03A) shall be provided prior to the first occupation of the development hereby permitted, and shall thereafter be retained and so maintained.

Reason - In the interests of good design, the amenity of future residential occupants, and to encourage alternative modes of transport to the private car.

Expiry Date: This permission will cease to have effect on 21/11/2026 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/2023/1355
Property Ref: K000010000
Valid date: 24/08/2023
Location: The Cottage Baissieres Place Les Baissieres St. Andrew
Guernsey GY1 2UG
Proposal: Sub-divide, extend and alter to create 2 dwellings and
associated works.
Applicant: Executive Property Solutions Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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thereafter be retained and so maintained.

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OFFICER'S REPORT

Brief Description of the site:

The dwelling is located south of Les Baissieres, and the rear of the site extends adjacent to the Friquet Garden Centre. The existing buildings include the large detached dwellinghouse with additions to either side. The proposal is for the subdivision of existing accommodation to create a new dwelling attached to the eastern side of the main dwelling.

The site is relatively flat and has a single vehicular access to the north.

The site is located Outside of the Centres as designated in the Island Development Plan (IDP).

The application was deferred and revised plans submitted to correct some errors and accurately show the proposed accommodation.

Relevant History:

FULL/2022/2281 – Demolish conservatory and chimneys, erect single storey extension and install rooflights to south (rear) elevation, and alterations to fenestration.

Existing Use(s):

01- Residential Dwelling

Representations:

One neighbour letter has been received regarding the increase in vehicular traffic using the driveway which leads to the property, and that this is owned and maintained by a neighbour with only a right of access by the applicants.

Policies considered most relevant:

OC1 – Housing Outside of the Centres

GP8 – Design

GP9 – Sustainable Development

Assessment:

Policy OC1 provides support for the subdivision of a dwelling into two units, outside the centres, where a) the resultant development would be compatible with the character and amenity of the area, b) the development is acceptable in terms of living environment and amenity, and c) the subdivision would not involve more than a modest extension to create adequate accommodation and the extension is not of a scale that it forms a significant part of any new unit.

The existing attached annexe/dower unit comprises two bedrooms, lounge/dining room, a kitchenette and bathroom. The proposed extensions include two small rear extensions to create an enlarged kitchen and porch for the existing attached annexe/proposed dwelling, along with the internal reordering of accommodation.

The previous application for a large rear extension to the main dwelling is extant, and this permission also included the currently proposed rear extensions to the existing dower unit. These extensions proposed again as part of this application are small scale and do not represent a significant addition to the unit. Switching the bathroom and kitchen improves their relationship to the main living accommodation.

The internal alterations and extensions proposed improve and enlarge the existing two-bedroom annexe to provide a separate, self-contained dwelling which exceeds the Guernsey Technical Standards in terms of internal space and also approximately meets the UK's national space standards for a two-storey dwelling for three people, which represents best practice.

The proposal also includes the subdivision of the plot with the allocation of a reasonably large area of private garden to the rear along with the existing patio, and a section of the front garden which is proposed to be used for car and bicycle parking, with a covered cycle store provided.

The rear amenity space provided is considered to be sufficient for its purpose and ensures a good level of private outdoor space for the future occupants. There is potential for some limited mutual overlooking from first floor rear gardens, but the appropriate division of the site and location of first floor windows has meant this is minimal and would not be sufficient to warrant the refusal of the application.

The division of the dwelling and plot is not considered to have a significant impact on the character of the area where plot sizes in the vicinity vary significantly, and the subdivision of the plot is not likely to result in any harm to the character of the area due to its enclosed nature.

The application confirms that the proposal will take into account the use of energy and resources and any adverse impact on the environment, and will comply with the requirements of the Building (Guernsey) Regulations, 2012.

The proposal is considered to be appropriate in terms of design, impact on character, the amenity of occupants and the scale of extensions necessary is appropriate. The proposed development is therefore acceptable in relation to Policies OC1, GP8, and GP9.

The increase in traffic using the access would be limited with the addition of one household. Matters of rights of way and resultant wear and tear of the shared access are private civil matters between the parties concerned and not material planning considerations which would influence a decision on this planning application.

Conclusion:

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been considered in the assessment of this application.

Approval is recommended subject to appropriate conditions.

Date: 22/11/2023