

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 dwelling to create 2 dwellings.

LOCATION: La Pointe Farm, Rue Du Lorier, St. Pierre Du Bois.

APPLICANT: Mr & Mrs K Gallichan

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: 19/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 2309/1 & 2

Application Ref: FULL/2023/1454

Property Ref: F001370000

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 18/10/2026 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/2023/1454
Property Ref: F001370000
Valid date: 29/08/2023
Location: La Pointe Farm Rue Du Lorier St. Pierre Du Bois Guernsey
GY7 9JU
Proposal: Sub-divide, extend and alter dwelling to create 2 dwellings.
Applicant: Mr & Mrs K Gallichan

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.

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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

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to sub-divide, extend and alter the dwelling to create 2 dwellings. The new one bedroom dwelling would be created within the existing single storey flat roof extension to the north gable of the dwelling and would include a small single storey pitched roof extension to the north. It is also proposed to replace the existing single storey flat roof with a lean-to slate roof.

The site comprises of a group of buildings in the south-west corner which includes a traditional two storey dwelling and a series of detached barns and outbuildings which have a variety of uses including self-catering accommodation and stables. To the east and north of this is a large hard surfaced parking area with amenity space to the north and west of the buildings. The entire south-west corner of the site is recognised as forming the curtilage of the dwelling and visitor accommodation uses, amounting to approximately 3,300sqm.

The site is located to the east of Route des Paysans and bounds La Houquette School to the north. The entire site is situated within an Agriculture Priority Area and is Outside of the Centres.

Relevant History:

13/04/2023 – FULL/2022/1800 – Permission granted for the change of use of agricultural land to domestic garden (128sqm) (revised scheme).

27/05/2022 – FULL/2021/2562 – Application refused for the change of use of agricultural land to domestic land (6,000 sqm) and erect earth bank to north-east boundary.

Existing Use(s):

Residential use class 1: dwelling house

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:

Policy OC1: Housing Outside of the Centres

Policy GP8: Design

Policy GP9: Sustainable Development

Policy IP7: Private and Communal Car Parking

Conclusion/Brief comment:

Policy OC1 supports the subdivision of a dwelling into two where the development would be compatible with the character and amenities of the surrounding area; the development provides a satisfactory living environment and amenities; and the subdivision would not involve more than a modest extension and the extension is not of such a scale that it forms a significant part of any new dwelling.

The overall size of the proposed dwelling is smaller than the majority of nearby properties and it would include limited outdoor space. However, the dwelling would be situated within an existing group of buildings which includes a number of self-catering units. The addition of a small dwelling within this existing group of buildings would have no noticeable adverse effect on the character and amenity of the wider area and it would be compatible with the existing uses on the site.

The existing dwelling would retain a good quality living environment. The internal floor space of the proposed dwelling is small but it would exceed the Guernsey Technical Standards minimum internal space standards and the best practice minimum internal space standards which are published on the Authority's website for a 1 person dwelling. It would not meet either the Guernsey Technical Standards or the best practice standards for a 2 person dwelling. The proposed dwelling is dual aspect and would have adequate daylight, sunlight and privacy. The external space for the proposed dwelling is adequate for the type and nature of the dwelling that it would serve and it would enjoy a good outlook to the west. Overall, the proposal would provide a satisfactory living environment for a 1 person dwelling, in accordance with Policy GP8.

The subdivision includes a small extension measuring 7.6sqm, which would amount to a 19.74% increase to the internal floor area of the existing section of the building to be subdivided. The extension includes a kitchenette which could be argued to be a significant part of the proposed dwelling. However, the kitchenette could be located within the footprint of the existing building, as it is at present, and there is sufficient space within the existing building to create a one bedroom dwelling without the need for the extension. The extension will improve the overall quality of the living environment of the proposed dwelling and on balance it would constitute a modest extension for the purposes of Policy OC1.

The replacement of the flat roof with a lean-to roof will enhance the design and appearance of the building and would have no adverse effects on the character and appearance of the area. These works would require the infilling of two existing

windows in the gable wall of the main house however these have been confirmed as secondary windows therefore the accommodation will still be served by adequate sunlight and daylight.

There would be adequate car parking for the proposed dwelling and existing uses on the site and secure covered bicycle parking could be provided within the associated curtilage of the proposed dwelling if required by future occupiers.

The layout of the proposed dwelling and its single storey ground floor nature indicates that the dwelling would provide flexible and adaptable accommodation, in accordance with Policy GP8. Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, 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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 18/10/2023