

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: Variation to previously approved plans to extend and alter dwelling - demolish, rebuild and extend eastern section of the building, install cladding to north extension, omit/alter rooflights, install flue and solar panels and alterations to fenestration (partially retrospective).

LOCATION: The Grange, La Bellieuse, St. Martin.

APPLICANT: Mr & Mrs R Moore

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: 05/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects - 3669 PD/01H, 02D, 03F & 04E

Application Ref: FULL/2023/1496

Property Ref: J003100000+J003110000

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 on or before 27/04/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2022/0057.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 28/04/2022, issued under planning application reference FULL/2022/0057, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 27/04/2025 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/2023/1496
Property Ref: J003100000+J003110000
Valid date: 25/08/2023
Location: The Grange La Bellieuse St. Martin Guernsey GY4 6RW
Proposal: Variation to previously approved plans to extend and alter dwelling - demolish, rebuild and extend eastern section of the building, install cladding to north extension, omit/alter rooflights, install flue and solar panels and alterations to fenestration (partially retrospective).

Applicant: Mr & Mrs R Moore

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 on or before 27/04/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2022/0057.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 28/04/2022, issued under planning application reference FULL/2022/0057, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

INFORMATIVES

OFFICER'S REPORT

Site Description:

The site comprises of a derelict traditional dwelling accessed via a track from Les Blanchés Pierres lane and situated to the rear of dwellings fronting onto Les Traudes to the west and set within a rural area with mature tree lined boundaries. The dwelling itself is located within a Conservation Area and the site is partly within an Agriculture Priority Area. The dwellings to the west are protected buildings and the site is partly within an area of archaeological interest.

Relevant History:

28/04/2022 – FULL/2022/0057 – Permission granted to raise roof ridge height, demolish existing external steps, erect two storey extension to north elevation, erect single storey extension to south elevation and alterations to fenestration.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested for variations to works previously approved to extend and alter dwelling under planning application FULL/2022/0057. The variations involve demolish, rebuild and extend eastern section of the building, install cladding to north extension, omit/alter rooflights, install flue and solar panels and alterations to fenestration. The eastern section of the building has been demolished and therefore the works are partially retrospective.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Policy GP4: Conservation Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Representations:

One letter of representation was received, main points as follows:

- Notes that most of the existing building has already been demolished.
- Requests a condition to prevent the use of the grounds between their boundary and the building to be used to park vehicles.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are the design and impact of the development on the character and appearance of the Conservation Area and the impact on the amenities of neighbouring residents.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The revised design and materials of the proposed extensions and alterations respect the character and appearance of the existing building and achieve a high standard of design. The proposal conserves the character and appearance of the Conservation Area and would have no adverse effects on the setting of neighbouring protected buildings, in accordance with Policies GP4 and GP8.

The arrangement of fenestration together with the distance to and layout of neighbouring properties is likely to result in the proposal having no significant adverse effects on the amenities of neighbouring residents.

The submitted plans are ambiguous with regards to whether the area to the north of the building would be used for car parking. However, there is nothing to stop the area to the north of the building from being used for car parking at present. In addition, due to the layout of the neighbouring property and the distance to the neighbours dwelling, should the area to the north of the building be used for

parking, the likely low intensity use of the area for parking is unlikely to have any significant adverse effects on the amenities of neighbouring residents.

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.

Date: 03/10/2023