

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 shed/outbuildings and erect 1.5 storey detached outbuilding to south of property.

LOCATION: Le Beau Valet, Rue Du Moulin, St. Saviour.

APPLICANT: Mr & Mrs P Parr

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: 08/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: G E Le Friec: 2306/3 & /4.

Application Ref: FULL/2023/1628

Property Ref: E00799A000

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.No development, including site works, shall begin on site until the mature tree shown on the approved plans to the front (north) of the approved outbuilding has been protected, in a manner previously agreed in writing by the Authority. The tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - This condition is imposed to make sure that the tree is properly protected while building works take place on the site to accord with Section 42 of the Law.

Expiry Date: This permission will cease to have effect on 07/11/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

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/2023/1628
Property Ref: E00799A000
Valid date: 19/09/2023
Location: Le Beau Valet Rue Du Moulin St. Saviour Guernsey GY7 9FF
Proposal: Demolish shed/outbuildings and erect 1.5 storey detached outbuilding to south of property.

Applicant: Mr & Mrs P Parr

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. No development, including site works, shall begin on site until the mature tree shown on the approved plans to the front (north) of the approved outbuilding has

been protected, in a manner previously agreed in writing by the Authority. The tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - This condition is imposed to make sure that the tree is properly protected while building works take place on the site to accord with Section 42 of the Law.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached dwelling-house located to the south of Rue Du Moulin. The property is served by a driveway that runs from the north-east to the rear of the property, and wraps round a mature tree. To the south of the tree lies a large detached garage and smaller outbuildings.

Planning permission is sought to demolish an existing shed/outbuildings, erect a 1.5 storey detached outbuilding to the south of the property, and relocate an existing garage. The proposed outbuilding will serve as a garage on the ground floor, and a hobbies room on the first floor, accessed by an external stairway. The hobbies room will be served by 3 dormer windows facing east.

As part of the application it was proposed to relocate an oil tank and catchment pit to the rear of the proposed garage. The application was deferred as the oil tank and catchment pit would be sited on agricultural land and therefore would fall outside of the recognised domestic curtilage.

The agent has decided to omit the oil tank and catchment pit from the application as set out in the agent's e-mail dated 24th October 2023, and reorientated the proposed garage on a north-south axis to fit within the recognised domestic curtilage.

Relevant History:

FULL/2023/0849	Enlarge dormer window to south (rear) elevation.	Granted
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Existing Use(s):

Residential use – dwelling-house

Agricultural use

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:

GP8 Design

GP9 Sustainable Development

GP13 Householder Development

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 outbuilding adopts a good standard of design by virtue of its scale, form, massing, materials and siting, which is well related to the dwelling-house. Due to its position and design, the proposal will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

Due to the position of the mature tree which is located adjacent to, and directly in front of the proposed outbuilding/garage, it is recommended that a condition be attached to the decision to ensure that it is properly protected to take into account the general functions and responsibilities that the Authority has in respect of protecting trees under Section 42 of the Law.

It is recommended that an informative is attached to the decision regarding the proposed outbuilding and existing garage in terms of their use.

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, and accords with the purpose of the Law and the requirements of the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 07/11/23