

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 demolish existing and erect replacement ancillary outbuilding to west boundary (setting of a Protected Building) - Relocate building by 1m to east.

LOCATION: Oak Farm, Route Des Sages, St. Pierre Du Bois.

APPLICANT: AJ Holdings Ltd

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: 17/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects - 5011 - 03C & 04C.

Application Ref: FULL/2023/1892

Property Ref: F006520000

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 20/02/2026.

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/2022/1838.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 21/02/2023, issued under planning application reference FULL/2022/1838, 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 20/02/2026 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. It does not permit the creation of a separately occupied annex or an independent dwelling or any use in connection with a trade or business. This would require a separate grant of planning permission and involve different planning policy considerations.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 709738, 01481 709739 or mobiles 07781 102219 or 07781 131061.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the

need to comply with its provisions. The building is located in an area where bats may be roosting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that the building is inspected for current or recent use by bats by a suitably qualified person prior to any building works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. In addition, to minimise the impact of light pollution on wildlife it is recommended that external lighting is avoided or kept to a minimum. For further advice or to arrange a site visit it is recommended that you contact La Société Guernesiaise by email at info@societe.org.gg.

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/2023/1892
Property Ref: F006520000
Valid date: 19/10/2023
Location: Oak Farm Route Des Sages St. Pierre Du Bois Guernsey GY7 9DL
Proposal: Variation to previously approved plans to demolish existing and erect replacement ancillary outbuilding to west boundary (setting of a Protected Building) - Relocate building by 1m to east.
Applicant: AJ Holdings Ltd

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 20/02/2026.

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/2022/1838.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 21/02/2023, issued under planning application reference FULL/2022/1838, and subject to the terms and conditions thereof.

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

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. It does not permit the creation of a separately occupied annex or an independent dwelling or any use in connection with a trade or business. This would require a separate grant of planning permission and involve different planning policy considerations.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site. The Archaeology team can be contacted on 01481 709738, 01481 709739 or mobiles 07781 102219 or 07781 131061.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that the building is inspected for current or recent use by bats by a suitably qualified person prior to any building works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. In addition, to minimise the impact of light pollution on wildlife it is recommended that external lighting is avoided or kept to a minimum. For further advice or to arrange a site visit it is recommended that you contact La Société Guernesiaise by email at info@societe.org.gg.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to previously approved plans to demolish existing and erect replacement ancillary outbuilding (FULL/2022/1838). The

variations include relocating the building by 1m to the east, alterations to fenestration on the east elevation and retaining a section of wall between 1.3m and 1.8m high along the west and south boundaries.

Oak Farm consists of a traditional two storey granite farmhouse orientated gable end to the highway with a detached L-shaped outbuilding in the south-west corner of the site and which forms part of the western boundary of the property and creates a courtyard parking area between the outbuilding and the dwelling. The outbuilding takes the form of a traditional pitched roof barn and is constructed of granite walls, timber fenestration and a slate roof.

The exterior of the dwelling and three adjacent properties are protected buildings, the outbuilding is not a protected building. The site is within an Agriculture Priority Area and is Outside of the Centres as defined in the Island Development Plan.

Relevant History:

21/02/2023 – FULL/2022/1838 – Permission granted to demolish existing and erect replacement ancillary outbuilding to west boundary (setting of a Protected Building).

16/09/2015 – FULL/2015/1653 – Permission granted to demolish and rebuild existing outbuilding to provide ancillary accommodation (setting of protected building).

20/09/2012 – FULL/2012/2391 – Permission granted to demolish and rebuild existing outbuilding to provide ancillary accommodation.

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 GP5: Protected Buildings

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Conclusion/Brief comment:

The proposed relocated outbuilding retains the overall form, design and materials of the previously approved replacement outbuilding. The relocated outbuilding respects the setting and traditional character of the adjacent protected buildings and it has the potential to have a positive effect on the character and appearance of the area. To achieve this precise details of the type and appearance of the construction of the granite walls, details of the natural slate roof and managing the appearance of the shower extract would be required, these can be managed by condition. The proposal accords with Policies GP5 and GP13.

The relocated outbuilding would have no additional 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.

Recommendation:

Grant with Conditions



Date: 17/11/2023