

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: Erect extensions at first floor level to west elevation of unit 1 and east elevation of unit 2.

LOCATION: Nos. 1 & 2, La Lande Vinery, Route De La Lande, Vale.

APPLICANT: Mr P Le Lievre

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: 24/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7491-02/B1A, /B2C & /B3C.

Application Ref: FULL/2023/2378

Property Ref: C000490000

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 23/01/2027 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/2023/2378
Property Ref: C000490000
Valid date: 29/11/2023
Location: Nos. 1 & 2 La Lande Vinery Route De La Lande Vale Guernsey
Proposal: Erect extensions at first floor level to west elevation of unit 1 and east elevation of unit 2.

Applicant: Mr P Le Lievre

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.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to erect pitched roof extensions at first floor level to the west elevation of unit 1 and the east elevation of unit 2.

The site previously contained a large metal framed glasshouse of approximately 8000sqm and a timber and metal clad packing shed along the south boundary in the south-west corner. Permissions were granted to convert and then demolish the packing shed and to erect 2 replacement dwellings (FULL/2019/1772 & FULL/2021/2225). The glasshouse and packing shed have since been removed and works on the replacement dwellings is nearing completion. The site is located close to Beaucette Marina and is Outside of the Centres.

The area is predominantly rural in character, comprising a network of small lanes, open fields and horticultural sites in various states of repair, interspersed with small groups of residential properties.

Relevant History:

27/09/2023 – FULL/2023/1303 – Permission granted for variations to works previously approved to demolish existing, erect two dwellings, create vehicular access and change of use of agricultural land to domestic garden (429 sqm) - alter access and parking for unit 1, and widen roadside vehicle access.

11/10/2022 – FULL/2022/1077 – Application refused for variation to works previously approved - alter roof form and install a flue.

31/08/2022 – FULL/2022/1085 – Permission granted for variations to works previously approved - Alterations to accesses in the west boundary.

29/07/2022 - FULL/2022/1084 – Permission granted for alteration to field access gate to north elevation.

07/04/2022 – FULL/2021/2225 – Permission granted to demolish existing, erect two dwellings, create vehicular access and change of use of agricultural land to domestic garden (429 sqm).

16/12/2020 – FULL/2019/1772 – Permission granted for the sub-division and conversion of vinery building to create 2 dwellings and create additional vehicular access (revised).

Existing Use(s):

Residential

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 GP8: Design
Policy GP9: Sustainable Development
Policy GP13: Householder Development

Conclusion/Brief comment:

Following a recent site visit, the blockwork of the approved units has been constructed, together with the installation of windows and doors and the roof, all in accordance with the approved plans. External cladding has not been completed and internally the buildings are not complete and habitable at this stage.

Consideration is required as to whether the level of construction that has taken place on site is sufficient to recognise the building as two dwellings for the purposes of Policy GP13, or as a development site, which would result in the need to consider the current application under Policy GP16(B).

For a building under construction such as this to constitute a dwelling it must first be wind and watertight. In this case, due to the extent of construction that has taken place, the building could reasonably be regarded as being wind and watertight. Therefore the building can be recognised as two dwellings and this application falls to be considered under Policy GP13.

The pitched roof design and external materials reflect the design and appearance of the existing dwellings. The extensions achieve a satisfactory standard of design and would have no adverse effects on the character and visual amenity of the area. The proposal accords with Policy GP8.

The rooflights to the south elevation are set at a high level which will prevent any overlooking of the neighbouring properties to the south. Situated to the north of neighbouring properties and together with the existing high boundary wall and the distance to neighbouring dwellings, the increase in mass along the neighbouring boundary is unlikely to have any significant adverse effects on the amenities of neighbouring residents.

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 Planning and Development (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: 19/01/2024