

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 section of glasshouse and erect wall and doors to north elevation, erect single storey link extension to south elevation.

LOCATION: Le Gallet, Rue Des Chapelles, Vale.

APPLICANT: Mr & Mrs J R Hobbs

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: 05/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 5823/W/1a & W/2a.

Application Ref: FULL/2023/2396

Property Ref: C000250000

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.If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To ensure that any unidentified contamination identified during the construction phase of the development, i.e. excavation of land and erection of new gable walls, is taken into account and is dealt with safely.

5.The new hedge shown along the west boundary on the approved drawing (ref: 5823/W/2a) shall be planted in the first planting season following the completion of the outbuilding hereby permitted. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those planted.

Reason - To assimilate the development into its rural environment in the interests of visual amenity.

6.For the avoidance of doubt, the proposed outbuilding and enhanced glasshouse structure shall 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.

Reason - The approved outbuilding and the enhanced glasshouse structure need to be clearly defined due to the size of the garage, and the permanency of the alterations approved.

Expiry Date: This permission will cease to have effect on 04/01/2027 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/2023/2396
Property Ref: C000250000
Valid date: 01/12/2023
Location: Le Gallet Rue Des Chapelles Vale Guernsey GY3 5EW
Proposal: Demolish section of glasshouse and erect wall and doors to north elevation, erect single storey link extension to south elevation.

Applicant: Mr & Mrs J R Hobbs

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. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To ensure that any unidentified contamination identified during the construction phase of the development, i.e. excavation of land and erection of new gable walls, is taken into account and is dealt with safely.

5. The new hedge shown along the west boundary on the approved drawing (ref: 5823/W/2a) shall be planted in the first planting season following the completion of the outbuilding hereby permitted. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those planted.

Reason - To assimilate the development into its rural environment in the interests of visual amenity.

6. For the avoidance of doubt, the proposed outbuilding and enhanced glasshouse structure shall 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.

Reason - The approved outbuilding and the enhanced glasshouse structure need to be clearly defined due to the size of the garage, and the permanency of the alterations approved.

OFFICER'S REPORT

Brief Description of the site:

Le Gallet is a detached dwelling with render exterior and a tiled roof. From the road, the property appears as a bungalow however due to the sloping nature of the site the property is two-storeys when viewed from the rear. The whole of the site is recognised as domestic curtilage in light of planning permission FULL/2018/1634.

A single-storey, pitched roof detached outbuilding lies to the west of the house. To the north of the outbuilding lies a span of glass, half clad to form a garage/workshop as approved under application reference FULL/2020/0113.

Planning permission is sought to infill the space between the small outbuilding and the clad section of the workshop/glasshouse by creating a self-contained, single storey flat roof outbuilding.

It is also noted that due to recent storm damage, a proportion of the glasshouse will be demolished, whilst retaining and stabilising the remainder. In light of this, the applicant seeks to construct new gable walls to the north and south of the structure, featuring patio doors to the north elevation. It is understood that some of this work has commenced.

The site is located outside of the Centres as designated in the Island Development Plan.

The application was deferred due to clarification over the proposed drawings in terms of the landscaping, new gable wall, and the timeframe for the works.

The agent has since provided revised drawings to clarify the proposal and to 'soften' the appearance of the outbuilding from public vantage points.

Relevant History:

FULL/2021/2675	Erect single storey flat roof extension to north-east elevation.	Granted
FULL/2020/0113	Apply cladding to walls and roof of part of greenhouse	Granted
FULL/2020/0064	Raise ridge height and erect link extension, render and alterations to fenestration to outbuilding	Granted
FULL/2019/0386	Replace section of greenhouse roof to south with solid panels	Granted
FULL/2018/1634	Change of use of bedroom to home office (Residential Use Class 5) and change of use of agricultural land to domestic garden	Granted

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:

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Consultation:

The Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans for the demolition of a section of glasshouse at the above mentioned address which were received by email on 28th December 2023 and I recommend the following condition:

- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to Planning Services a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Department for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.*

I would be grateful if this is considered during the determination of this application.

Please do not hesitate to contact me at the above address should you require any additional information regarding this matter."

Conclusion/Brief comment:

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.

The proposed single storey flat roof outbuilding adopts a good standard of design by virtue of its scale, form, massing, siting and materials. Due to its position and design, the proposal will not have a detrimental impact on the character of the area, or the amenities of neighbouring residents.

The agent has incorporated hedging to the rear (west) of the proposed structure, extending the existing hedging, in an attempt to assimilate the development into its rural surroundings and to 'soften' its appearance in public views. It is reasonable to attach a condition to the decision to this effect.

Despite the solid gable ends of the former glasshouse which will inevitably add to the mass, bulk and conspicuousness of the structure in public vantage points to the

north and south of the site; the resultant effect on visual amenity has been balanced against the demolition of a large proportion of the existing glasshouse which will improve the feeling of openness in the surrounding area, irrespective of whether the structure is sited within the domestic curtilage or not.

It is also recommended that a condition be imposed with regards to the use of the former glasshouse, now annotated as a garage, given the size and permanency of the alterations proposed by virtue of erecting solid gable walls.

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 Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 03/01/23