

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 glasshouse, erect 1.5 storey extension to south of existing single storey outbuilding/store.

LOCATION: Les Jehans Farm, Rue Des Jehans, Torteval.

APPLICANT: Mr & Mrs R Ridout

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: 08/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6422/A/1a.

Application Ref: FULL/2023/2471

Property Ref: G001770000

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.Within eight weeks of the new access being formed, the existing access shall be closed permanently with a granite wall, and the boundary walls to either side of the new access shall be fully completed in accordance with the approved plans. For all new stonework to the roadside wall the stone to be used shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To minimise the number of points of access and to respect the character and appearance of the Conservation Area.

5.No materials to be used on the exterior of the garage building shall be placed on the site until such time as a written schedule and samples of those materials have been submitted to and agreed in writing by the Authority. Only those materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To avoid any ambiguity with the approved drawings, and in interests of visual amenity and to respect the character of the Conservation Area.

Expiry Date: This permission will cease to have effect on 07/02/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage 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. In addition, any use in connection with a trade or business would involve different planning policy considerations and 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/2023/2471
Property Ref: G001770000
Valid date: 18/12/2023
Location: Les Jehans Farm Rue Des Jehans Torteval Guernsey GY8 ORE
Proposal: Demolish glasshouse, erect 1.5 storey extension to south of existing single storey outbuilding/store.

Applicant: Mr & Mrs R Ridout

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. Within eight weeks of the new access being formed, the existing access shall be closed permanently with a granite wall, and the boundary walls to either side of the

new access shall be fully completed in accordance with the approved plans. For all new stonework to the roadside wall the stone to be used shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To minimise the number of points of access and to respect the character and appearance of the Conservation Area.

5. No materials to be used on the exterior of the garage building shall be placed on the site until such time as a written schedule and samples of those materials have been submitted to and agreed in writing by the Authority. Only those materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To avoid any ambiguity with the approved drawings, and in interests of visual amenity and to respect the character of the Conservation Area.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage 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. In addition, any use in connection with a trade or business would involve different planning policy considerations and require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

The application site, Les Jehans Farm, consists of a large traditional farmhouse with a mix of garden and agricultural land to the rear. An outbuilding and glasshouse lie to the front of the dwelling.

The site is located Outside the Centre and within a Conservation Area as designated in the Island Development Plan.

Planning permission was granted permission in 2023 to demolish the glasshouse and erect a single storey garage/outbuilding to the south of the existing outbuilding. It is also proposed to infill the existing vehicular access and create a new gated vehicular access to west roadside boundary.

Permission is sought to demolish the glasshouse and erect a 1.5 storey outbuilding. The structure will be in the same position as that previously approved under permissions FULL/2019/1222 and FULL/2023/1257 although the height and external appearance has altered as now proposed. It is proposed to incorporate two dormer windows to the south elevation, and rooflights to the north.

Relevant History:

FULL/2023/1257	Demolish glasshouse, erect single storey garage/outbuilding to south of existing outbuilding. Infill existing vehicle access and create new gated vehicle access to west roadside boundary.	Granted
FULL/2019/1222	Demolish existing glasshouse and erect double garage (west boundary).	Granted
FULL/2017/3132	Block up vehicular access and create new vehicle access.	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:

GP4: Conservation Areas

GP5: Protected Buildings

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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Access:

As previously considered under permissions FULL/2017/3132, FULL/2019/1222, and FULL/2023/1257, the width of the proposed vehicular access created is similar to that of the existing access and other accesses serving neighbouring properties. The design and materials of the proposed access is acceptable and compliant with Policy GP8. The blocking up and relocating the existing vehicular access will improve road safety and is considered a reasonable aspiration of the property owner to improve the access of the property and fields to the rear. The application is compliant with Policy IP9.

In light of the amendments secured, the proposed infilled section of wall will be finished in granite and therefore will have a neutral effect on the character and appearance of the Conservation Area provided the stone to be used in the construction of the new works matches as closely as possible to the existing stone in terms of the method of construction and its appearance. A condition to this effect is attached.

Proposed 1.5 storey garage:

As set out previously in relation to Policy GP4, the pattern of development of this Conservation Area is one of detached buildings separated by green spaces, whether those have the appearance of fields or gardens. The garden area which is shown to be hard-surfaced provides a space between stream-side fields to the east and open fields to the west which could contribute to both the Conservation Area and wider open views (Policy GP1). That green space would be eroded somewhat by the development proposed, although the hard surfacing proposed is likely to be exempt and therefore in this case would not be controllable.

The demolition of the glasshouse is justified and supported under Policy as set out in permission FULL/2023/1257.

The proposal seeks to increase the scale and mass of the structure which will, in turn, increase its prominence in the immediate surroundings and from some long range views due to the open nature and topography of the area. However, when taking into account the overall size of the outbuilding, together with the appropriately proportioned dormer windows, pitched roof and its materiality, the proposal would not cause undue harm to the character or appearance of the Conservation Area sufficient to rebut the general support in favour of householder development. In addition, the structure is subservient in terms of scale and mass when compared to the recent extension built off the main house and therefore will be 'read' in the foreground with the backdrop occupied by the larger two storey extension. Due to the ambiguity with regards to materials, it is recommended that a condition be attached to the scheme to provide further clarification in the interests of the character and appearance of the locality.

Whilst the detailing and junction between the proposed garage and the existing lean-to outbuilding adopts an irregular form when compared to more traditional roof forms in the vicinity, the overall effect on the character and appearance of the Conservation Area would not be so substantially affected to warrant refusal.

Overall, for the purposes of Policy GP4, the proposal is considered to have a 'neutral' effect when balancing the limited visual harm and the proposed improvements to highway safety.

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: 08/02/24

