

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 1.5 storey outbuilding to provide triple garage and games room and erect wall and gate to east of property.

LOCATION: Les Clercs, Petils Lane, Vale.

APPLICANT: Petit Marais 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: 01/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services - 6016/G/1a

Application Ref: FULL/2024/0066

Property Ref: C003430000

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.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, and any use in connection with a trade or business would involve different planning policy considerations and require a separate grant of planning permission.

Reason - This condition is applied due to the size of the outbuilding to ensure it remains ancillary to the main dwelling and does not become separated.

Expiry Date: This permission will cease to have effect on 01/05/2027 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/2024/0066
Property Ref: C003430000
Valid date: 09/01/2024
Location: Les Clercs Petils Lane Vale Guernsey
Proposal: Erect 1.5 storey outbuilding to provide triple garage and games room and erect wall and gate to east of property.

Applicant: Petit Marais Holdings Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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).

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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.

4. 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, and any use in connection with a trade or business would involve different planning policy considerations and require a separate grant of planning permission.

Reason - This condition is applied due to the size of the outbuilding to ensure it remains ancillary to the main dwelling and does not become separated.

OFFICER'S REPORT

Brief Description of the site:

The site is located Outside of the Centres and is the subject of no other designation under the Island Development Plan.

The application site comprises part of a former vinery, the glass to which was cleared at some point during the period 1979 to 1990 (based on archive aerial photographs).

The former packing shed was granted planning permission to be converted, and then subsequently demolished and rebuilt under applications FULL/2019/0585 and FULL/2020/0539 respectively, with a series of additional applications to vary the works following this. The whole of the land parcel is recognised as domestic curtilage.

As part of planning application (FULL/2021/1625), it was regarded that the building works were complete to a stage that the structure could be recognised as a dwelling-house. The more recent applications involved erecting 1.5 storey extensions to the side elevations (east and west) and walls (FULL/2022/0011), and a 1.5 storey extension (FULL/2022/1354) and a single storey flat roof extension (FULL/2023/0384) to the rear (south) elevation. The most recent application was granted permission in 2023 to extend and alter the dwelling at 1st floor level to the south (rear) elevation, incorporating a flat roof link between both pitched roofs.

Planning permission is now sought to erect a 1.5 storey outbuilding to provide a triple garage and a games room, and to erect a wall and gate to the east of the property.

The garage will be finished in a mix of granite and cladding on the principal (north) elevation, and a mix of render and cladding on the east, south and west elevations respectively.

The application shows a 3 bay garage on the ground floor and a games room at first floor level, served by a central dormer window with a Juliet balcony and an array of 18 solar panels on the rear elevation.

The application was concerned over the design and detailing of the garage. The agent has provided further information as to the design context as well as omitting the single door at first floor level and replacing it with a more traditional Juliet balcony. The rooflights have remained off-centre due to the internal configuration which the agent has noted due to a building control requirement. The cladding will be comprised of timber ship lap boarding.

Relevant History:

FULL/2023/1227	Extend and alter at 1st floor level to south (rear) elevation.	Granted
FULL/2023/0384	Erect single storey extension to south (rear) elevation and install first floor window to east (side) gable.	Granted
PREA/2023/0191	Erect a conservatory.	Pre-application enquiry
FULL/2022/1354	Erect 1.5 storey extension to south (rear) elevation and install window to west (side) elevation.	Granted
FULL/2022/0011	Erect 1½ storey extensions to west (side) and east (side) elevations and erect wall and retaining wall with gated pedestrian access.	Granted
FULL/2021/1625	Variations to plans previously approved to demolish packing shed and erect dwelling - raise roof ridge height and install dormer windows and rooflights to create 1st floor accommodation.	Granted
FULL/2019/0585	Conversion of packing shed to dwelling. Demolish section of outbuilding. Reduce height of chimney on south elevation. Alterations to fenestration.	Granted
FULL/2020/0539	Demolish packing shed and erect dwelling.	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:

GP1 Landscape Character and Open Land
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.

The whole of the site is recognised domestic curtilage. The proposed garage is setback from the principal elevation of the main house, circa. 15m, from Petils Lane. Whilst the garage is large, it is proportionate and reasonably well related to the approved dwelling.

By virtue of the amendments secured, the proposed Juliet balcony now adopts a good standard of design. Despite the off-centre rooflights and the mix of external finishes, there is sufficient scope in Policy GP8 and GP13 to enable homeowners a degree of flexibility with regards to design matters to reflect the reasonable aspirations of householder in less sensitive areas such as this.

Overall, the proposed pitched roof garage, together with the proposed wall and gates achieves an acceptable standard of design. The garage will be subservient to the main house in terms of its height and size and is reasonably well related to the dwelling. Despite the piecemeal style of planning application submissions, the proposal achieves a cohesive design with the rest of house.

The proposal will not have a significant adverse effect on the openness and character of the area, visual amenity, or neighbour amenity.

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; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 01/05/24