

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: Variations to previously approved plans to demolish existing dwelling and erect replacement dwelling - alter and reduce footprint including create detached garage, alter roof forms, omit east balcony and alterations to fenestration and external materials.

LOCATION: Le Courtil Bouillon, Retot Lane, Castel.

APPLICANT: Mr & Mrs C Hay

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: 22/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room 322/C1/A, /C2A, /C3A, /C4A, /C6A & /C7A.

Application Ref: FULL/2024/0116

Property Ref: D010720000

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 30/03/2026.

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).

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 variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 31/03/2023, issued under planning application reference FULL/2022/1549, 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 30/03/2026 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/2024/0116
Property Ref: D010720000
Valid date: 18/01/2024
Location: Le Courtil Bouillon Retot Lane Castel Guernsey GY5 7EG
Proposal: Variations to previously approved plans to demolish existing dwelling and erect replacement dwelling - alter and reduce footprint including create detached garage, alter roof forms, omit east balcony and alterations to fenestration and external materials.

Applicant: Mr & Mrs C Hay

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 30/03/2026.

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).

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 variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 31/03/2023, issued under planning application reference FULL/2022/1549, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to works previously approved to demolish the existing dwelling and erect a replacement dwelling (FULL/2022/1549). The variations involve altering and reducing the footprint, including detaching the garage, altering roof forms, omitting the east balcony and alterations to fenestration and external materials.

The application property formerly comprised of a detached traditional 1½ storey cottage situated to the east of the highway, Retot, and elevated above the highway by approximately 1 metre. The former cottage has recently been demolished. Agricultural fields to the east and north are also under the applicant's ownership. The property forms part of ribbon development of residential properties to the east of the highway with a large area of open and undeveloped agricultural land bounding the dwelling to the north and east. To the west of the highway dwellings are interspersed with open and undeveloped agricultural land and this creates an overall semi-rural character to the lane. The site is situated on the West Coast Escarpment which rises from the west to the east and the north-west to the south-east across the site.

The site is located in an Agriculture Priority Area and is Outside of the Centres.

Relevant History:

31/03/2023 – FULL/2022/1549 – Permission granted to demolish existing dwelling and erect replacement dwelling with infinity pool and associated landscaping, alteration to gated vehicle access, erect earth-bank to north and east boundaries and create new access to agricultural land (revised).

Existing Use(s):

Residential Use Class 1: dwelling house
Agricultural use class 28

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:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas
GP1 - Landscape Character and Open Land
GP7 – Archaeological Remains
GP8 - Design
GP9 - Sustainable Development
GP13 – Householder Development
IP7 - Private and Communal Car Parking
IP9 - Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The overall scale and footprint of the replacement dwelling is similar to the previously approved scheme. The revised design of the replacement dwelling continues to achieve a good standard of design and the visual impact of the revised dwelling is similar to the previously approved scheme. The revised replacement dwelling would have no significant adverse effects on the landscape character, openness and appearance of the area, in accordance with Policies GP1, GP8 and GP13.

The revised design of the replacement dwelling 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.

Date: 19/02/2024

