

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 single storey extension to west (rear) elevation and install window to north (side) elevation. Install window to south elevation of outbuilding, alter and widen vehicle access.

LOCATION: Le Pulias, Route De Pulias, St. Sampson.

APPLICANT: Mr A Ayres

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: 20/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6431/A/2.

Application Ref: FULL/2024/0234

Property Ref: B019740000

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 four weeks of the widened/altered access as hereby approved being brought into use, the pillar shall have been repositioned to the position shown on the approved drawing (ref: 6431/A/2) and any disturbed part of the boundary shall be made good and finished off using materials and a method of construction which match the remainder of the roadside boundary.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 20/03/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan as forming the domestic curtilage associated with the dwelling presently known as Le Pulias. The land recognised as domestic curtilage by the Authority is identified on the plan ref: AA-23-1119-01A which formed part of permission Ref: FULL/2023/0811.

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/2024/0234
Property Ref: B019740000
Valid date: 12/02/2024
Location: Le Pulias Route De Pulias St. Sampson Guernsey GY2 4TE
Proposal: Erect single storey extension to west (rear) elevation and install window to north (side) elevation. Install window to south elevation of outbuilding, alter and widen vehicle access.

Applicant: Mr A Ayres

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 four weeks of the widened/alterd access as hereby approved being brought into use, the pillar shall have been repositioned to the position shown on the approved drawing (ref: 6431/A/2) and any disturbed part of the boundary shall be made good and finished off using materials and a method of construction which match the remainder of the roadside boundary.

Reason - To secure the satisfactory appearance of the completed development.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan as forming the domestic curtilage associated with the dwelling presently known as Le Pulias. The land recognised as domestic curtilage by the Authority is identified on the plan ref: AA-23-1119-01A which formed part of permission Ref: FULL/2023/0811.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached property situated to the south of Route de Pulias. Surrounding the site, the area comprises a residential property to the northeast (on the opposite side of Route de Pulias), a disused vinery to the west (with agricultural land beyond) and les Vardes Quarry to the east.

The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2023/0811	Change of use of agricultural land to domestic garden (41sqm) and erect earth bank.	Granted 28/09/2023
FULL/2020/2560	Change of use of agricultural land to domestic garden (3,239sqm) (retrospective).	Refused 29/04/2021
FULL/2014/3496	Demolish existing water tower and extension, extend and alter dwelling and install three dormer windows to front and two dormer windows to rear (revised) - Demolish existing workshop and erect double garage and porch on south-east elevation and reinstate vinehouse on north elevation of property.	Granted 10/03/2015
FULL/2013/0722	Demolish existing water tower and extension and extend and alter dwelling on south west elevation. Install three dormer windows to front and two dormer windows to rear.	Granted 11/03/2013

Existing Use(s):

Residential – property and garden area;
Agricultural land – remaining land

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

OC5(A): Agriculture Outside of the Centres – outside of the Agriculture Priority Areas

Conclusion/Brief comment:

Planning permission is sought to erect a single storey extension to the west (rear) elevation and to install a window in the side (north facing) elevation of the main dwelling, to install a window within the south facing elevation of the outbuilding and to alter and widen the vehicle access point to the property.

Policy GP13 of the Island Development Plan is generally supportive of proposals for domestic extensions, alterations and other such householder development where: there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and, they do not adversely affect the special interest of a Conservation Area or Area of Biodiversity Importance or protected building or protected monument.

The proposed extension is of an appropriate scale, mass and form so as not to detract from the openness of the surrounding area. Situated to the rear of the property and at single storey level the extension will not negatively impact on the character or appearance of the surrounding area. The materials to be used in its construction and the design of the extension and the new fenestration to be installed in the existing property and outbuilding will be in-keeping with the host dwelling.

Given the distance between the property and the nearest neighbouring residential property (circa 40m northeast on the opposite side of Route De Pulias), neither the extension nor the new fenestration to be installed in the outbuilding and the dwelling would cause harm to residential amenity.

Although the existing vehicle access point is situated outside of the recognised domestic garden area for the property, it is within the site edged red as indicated on the application drawings. The access also has a dual use providing access to the residential premises and the remaining agricultural land. The existing vehicle access point into the site at 3.07m in width is limited and is difficult to negotiate on the approach to the site in both directions. Turning into and out of the site is therefore difficult without encroaching onto the opposite side of the carriageway. Widening the width of the access point will prevent the need to do this and will provide a better access for the residential and agricultural uses and overall will improve highway safety.

Although the alterations to the access will result in the loss of a section of the roadside boundary, a large section of boundary enclosure to the east and west will remain undisturbed and will continue to provide an appropriate boundary feature. The loss of the section of boundary wall as proposed would not cause harm to the character of the surrounding area. However, in the interests of protecting the visual amenity of the surrounding area, it is recommended that a condition is included on any permission for the pillar to be relocated to the position shown on the application drawings and for any part of the boundary disturbed, to be made good to match the remainder of the roadside boundary in a timely manner.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations 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.

Recommendation:

Grant with Conditions



Date: 18/03/2024

