

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: Raise, alter roof ridge height and extend to east and west (side) elevations of outbuilding.

LOCATION: 1 & 2 Maple Mist, Rue Des Haizes, Vale.

APPLICANT: Mr & Mrs Bourgaize & Mr & Mrs Lesbirel

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: 24/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Drawings 2, 3, 4 & 1:200 scaled block plan (all date stamped received 16/04/2024).

Application Ref: FULL/2024/0701

Property Ref: C01570A000

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.

Expiry Date: This permission will cease to have effect on 24/05/2027 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/2024/0701
Property Ref: C01570A000
Valid date: 16/04/2024
Location: 1 & 2 Maple Mist Rue Des Haizes Vale Guernsey GY3 5HB
Proposal: Raise, alter roof ridge height and extend to east and west (side) elevations of outbuilding.

Applicant: Mr & Mrs Bourgaize & Mr & Mrs Lesbirel

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).

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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.

OFFICER'S REPORT

Brief Description of the site:

The application relates to two individual properties both linked and forming a semidetached property, situated to the south of Rue des Haizes. Surrounding the site the area comprises residential properties to the north, and an agricultural field to the west. Bailloterie camp site surrounds the site to the south and east with residential properties beyond.

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

Relevant History:

No. 1 Maple Mist

FULL/2010/2451	Erect first floor extension to east side of dwelling and install windows option 1 and 2.	Granted 15/09/2010
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No. 2 Maple Mist

FULL/2010/2450	Erect first floor extension to east side of dwelling and install windows option 1 and 2.	Granted 15/09/2010
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Previous joint applications for both properties

PAPP/2008/3375	Erect two outbuildings.	Granted 29/05/2009
PAPP/2007/3103	Extend domestic curtilage	Granted 19/02/2008
PAPP/2004/1489	Sub-divide dwelling to create two dwellings.	Granted 29/04/2024

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:

Situated immediately to the west of 2 Maple Mist is a parcel of land (which forms part of the domestic curtilage for both properties) with two outbuildings located on it. One outbuilding is allocated to each property, used for purposes ancillary to the main dwellings.

Permission is sought to erect a new timber framed structure to be built over the existing outbuildings to create a covered parking space either side of the outbuilding, (one for each property) and additional storage in the roof space above.

Although the land in question is situated on higher ground, (when compared to the Rue Des Haizes to the south) the outbuildings are currently largely screened from view by existing hedging and trees along the roadside boundary. Along the southern boundary of the site is hedging situated on much higher ground with dense tree planting beyond, screening the development from views in this direction. The proposal when viewed would be seen in context with the existing properties and built form and given the surroundings, would not cause harm to the open character or landscape character of the surrounding area.

The scheme has been designed with high quality oak framed beams, timber columns and framing and slate roof tiles, to be in-keeping with the host dwellings and the character of the surrounding area.

The proposal would not harm the amenities afforded to the occupiers of any neighbouring properties.

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions

Date: 23/05/2024

