

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: Variation to previously approved plans for change of use of dwelling (residential use class 1) to mixed use as part dwelling (residential use class 1) and part physiotherapist (public amenity use class 18). Extend and alter at ground, first and second floor levels, erect detached garage to west boundary - Raise and alter garage roof height and form to create store at first floor level, install external steps to south elevation.

LOCATION: La Parchonnerie, Les Rouvets Road, Vale.

APPLICANT: Mr & Mrs B Daking

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: 03/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates: 2159 03.01A, 03.02A, 03.03A, 03.04A, 03.05B, 03.06A

Application Ref: FULL/2024/0942

Property Ref: C021270000

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 04/08/2025.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 05/08/2022, issued under planning application reference FULL/2022/0709, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 04/08/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of detached garage to be used as an integral part of and incidental to the principal dwelling presently known as La Parchonnerie. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2024/0942
Property Ref: C021270000
Valid date: 24/05/2024
Location: La Parchonnerie Les Rouvets Road Vale Guernsey GY6 8NQ
Proposal: Variation to previously approved plans for change of use of dwelling (residential use class 1) to mixed use as part dwelling (residential use class 1) and part physiotherapist (public amenity use class 18). Extend and alter at ground, first and second floor levels, erect detached garage to west boundary - Raise and alter garage roof height and form to create store at first floor level, install external steps to south elevation.

Applicant: Mr & Mrs B Daking

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 04/08/2025.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 05/08/2022, issued under planning application reference FULL/2022/0709, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of detached garage to be used as an integral part of and incidental to the principal dwelling presently known as La Parchonnerie. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a traditional, detached dwelling-house which lies on a large plot that forms the corner of Les Rouvets Road and Rue Des Marais, Vale. The property has been extended and altered over time. The principal elevation faces north, with a subservient garage wing to the east, accessed via the driveway to the south of the property. A further subservient one and a half-storey extension exists to the west of the building with first floor catslide dormer along with an attached vinehouse. The remains of pig sties exist to the west of the property. To the south is a single-storey flat roof extension and a pitched roof single-storey living room extension.

Hardstanding is provided to the south and southwest of the dwelling. 1.8m high timber fencing has been erected along the west and north boundary with the glasshouses and outbuilding east of Sunnyside, Dens Cottage and Selva.

The application relates to changes to the approved detached garage in relation to its height and roof form to allow for first floor accommodation, indicated to be used as domestic storage, and for an external staircase to be installed to provide access to this roofspace to the south elevation of the building.

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

Relevant History:

FULL/2022/0709 - Change of use of dwelling (residential use class 1) to mixed use as part dwelling (residential use class 1) and part physiotherapist (public amenity use class 18). Extend and alter at ground, 1st and 2nd floor levels, erect detached garage to west boundary, install gate to existing vehicle access and create additional vehicle access - granted

Existing Use(s):

01 dwellinghouse

Planning permission granted for public amenity use class 18 (see above)

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:**Conclusion/Brief comment:**

The principle of a garage in the location shown has already been established. It was noted as part of the previous application report that the proposed garage will block some oblique views to the northwest of the site, and this would remain the case as a result of the proposed changes.

The revised roof height and form would not alter the fact that the detached garage would be set well back in the site, the design of which, including external staircase, represents a high standard of design which will not have a detrimental impact on the character and appearance of the locality.

The garage is to be situated adjacent to the west site boundary but it remains the case that given its height and position in relation to the boundary (space around it for maintenance) it will not result in overshadowing or loss of light to the occupiers of the adjoining dwelling to the west.

The garage will not have an adverse impact on the setting of the Protected Building nor the character and appearance of the Conservation Area in accordance with Policies GP8, GP9 and GP13 of the Plan.

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.

In view of the above it is recommended permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 01/07/2024

