

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: Demolish existing outbuilding, erect 1.5 storey and single storey outbuilding/garage/home office to north-west of property.

LOCATION: Shinglewood, Rue De La Ronde Cheminee, Castel.

APPLICANT: Miss S Heathcote

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: 12/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Create Ltd - 927-3-0016, 0017 and 0018 (elevations only).

Application Ref: FULL/2024/1013

Property Ref: D018510000

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.The rooflights hereby approved to the west roofslope shall be installed with a minimum cill height of 1.7m above the finished first floor level and shall thereafter be retained as such.

Reason - In the interests of residential amenity and privacy.

Expiry Date: This permission will cease to have effect on 12/07/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023.

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/2024/1013
Property Ref: D018510000
Valid date: 07/06/2024
Location: Shinglewood Rue De La Ronde Cheminee Castel Guernsey
GY5 7GB
Proposal: Demolish existing outbuilding, erect 1.5 storey and single
storey outbuilding/garage/home office to north-west of
property.
Applicant: Miss S Heathcote

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. The rooflights hereby approved to the west roofslope shall be installed with a minimum cill height of 1.7m above the finished first floor level and shall thereafter be retained as such.

Reason - In the interests of residential amenity and privacy.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023.

OFFICER'S REPORT

Brief Description of the site:

Shinglewood is a detached dwelling situated to the north of Rue de la Ronde Cheminee. Vehicular access is to the east of the dwelling and leads to a garage to the northwest of the dwelling and a parking area to the south east of the existing stable block. The stable block is a detached building with painted exterior and PVCu doors and windows. To its north is a timber building raised on a concrete base and used as a tack store. A wall exists to the northwest site boundary and hedges mark the southeast and north east boundaries. The land to the northeast of the stables, garage and parking area has been divided into paddocks for the grazing of horses.

The application relates to the demolition of the existing garage/outbuilding and the erection of a one and a half-storey garage with home office above, a single-storey WC and utility with external staircase/balcony landing above to access the home office and WC and an attached single-storey tractor shed/outbuilding. The building has been designed with dormers that break through the eaves to the east elevation and rooflights to the west roofslope. The garage structure is shown to have a timber clad exterior whilst the attached tractor store would have a render finish. The roofs of both elements of the building are shown to be covered in natural slate. Solar panels are indicated to be installed to the west roofslope of the garage/home office and tractor store.

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

Relevant History:

FULL/2018/2733 - Change of use of agricultural land to domestic garden and erect stable block – granted

FULL/2021/1808 – partially demolish outbuilding, extend at ground floor level, raise and alter roof height to create first floor accommodation with balcony and alter raised terrace area to rear and install external insulating render – granted

FULL/2021/1774 - Erect stables to north of existing stables, install solar panels and alterations to existing stables. Install sand school, remove hedge and erect fencing – granted

FULL/2021/1813 - Partially demolish outbuilding, erect extension (south elevation) and erect first floor extension to create 1st floor accommodation with external staircase (north elevation) - granted

The approved scheme proposed an office at first floor level with kitchenette and shower room and a WC and utility at ground floor level.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation

x

accords with policy

x

within curtilage

X

design acceptable

X

visual amenity acceptable

x

no material neighbour impact

x

traffic not affected

x

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The existing building is of no particular merit and its demolition is supported. The design and appearance of the proposed detached outbuilding represent a good standard of design that respects the local built environment when considering Policies GP8 and GP13 of the Island Development Plan. The scheme will offer more flexible and adaptable accommodation that can respond to the changing needs of occupiers over time.

The proposed outbuilding is set away from the site boundaries with adjoining residential properties and will not result in unacceptable overshadowing or loss of light to the occupiers of adjoining properties.

The submitted drawings indicate that the rooflights to the west roofslope would be situated at c 1.6m above first floor level. As previously approved the west facing rooflights were shown to have a cill height of 1.7m above the finished first floor level in order to manage the potential for overlooking and loss of privacy. For the avoidance of doubt it is reasonable to condition that these rooflights be situated at 1.7m above finished floor level to mitigate the potential harm. On this basis, the scheme will not result in unacceptable overlooking and loss of privacy to the occupiers of any surrounding dwellings.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment. The installation of solar panels as indicated would support the aims of the IDP in relation to sustainable development and can be required to be installed by planning condition.

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

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: 12/07/2024

