

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 1.5 storey extension to west elevation and alterations to fenestration of outbuilding. Erect single storey 3 bay garage to north boundary.

LOCATION: Le Chalet De Haut, Les Pages, St. Martin.

APPLICANT: Mr & Mrs M Edgar

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: 24/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Geoff Le Friec: 2408 / 1 & 2.

Application Ref: FULL/2024/1109

Property Ref: J00825B000

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 additional accommodation hereby permitted shall remain an integral part of and incidental to the principal dwelling presently known as Le Chalet de Haut, and, together with the principal dwelling named above, shall remain as a single residential unit and shall not at any time be severed from that dwelling to provide a self-contained unit of accommodation, separate from the principal dwelling, unless planning permission has been given to do so.

Reason - To ensure that the scheme complies with Island Development Policies and does not become a separate residential dwelling contrary to policy OC1.

Expiry Date: This permission will cease to have effect on 24/09/2027 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/2024/1109
Property Ref: J00825B000
Valid date: 18/07/2024
Location: Le Chalet De Haut Les Pages St. Martin Guernsey GY4 6QX
Proposal: Erect 1.5 storey extension to west elevation and alterations to fenestration of outbuilding. Erect single storey 3 bay garage to north boundary.

Applicant: Mr & Mrs M Edgar

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 - To ensure that the scheme complies with Island Development Policies and does not become a separate residential dwelling contrary to policy OC1.

OFFICER'S REPORT

Brief Description of the site:

The site is located to the west of Les Pages, accessed via a short access track between two neighbouring dwellings. The existing two storey dwelling is substantial, with a detached garage located to the northeastern corner of the site.

The site is located Outside the Centre as defined in the Island Development Plan.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

Assessment: *(Tick as appropriate)*

no representation

☐
☒
☒
☒

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

☒
☒
☒

Representation:

One letter of representation was received and has been summarised:

- Existing high volume of traffic using the access track which results in noise/vibrations and disturbance;
- Resulting damage to the driveway, for which the applicants are partially responsible.
- Additional use of the access during construction may result in further damage
- Increased noise and disturbance during construction
- Capacity of the access to support an additional dwelling.

Policies considered most relevant:

GP8 – Design

GP9 – Sustainable Development

GP13 – Householder Development

Conclusion/Brief comment:

The proposal relates to the erection of an extension to the existing detached garage, this is a 1.5 storey extension to the western side of the existing garage, in order to facilitate its use as an ancillary living accommodation unit. The extension results in a 59sqm ancillary unit, which despite the relatively generous size, remains of an ancillary size in relation to the substantial main dwelling. The unit will be physically linked by the inter-relationship and proximity to each other. The application includes details which indicate the functional link to the main dwelling, including use by family members, shared mealtimes, parking, garden and utilities.

The extension is unlikely to have a significant impact on neighbours due to its position and given that the proposed first floor windows face west, looking primarily over the application site with some views to the rear parts of the neighbouring gardens which are considered the least sensitive.

The proposed new garage is a triple bay design, located adjacent to the 3.2m high boundary wall with the neighbours to the north. This means it will be well screened from neighbours and is unlikely to have a significant impact on neighbour amenity.

The extension and garage proposed is not considered likely to increase the existing level of noise and disturbance to neighbours beyond what can reasonably be expected within a residential dwelling and garden. The construction works are likely to have some impact on neighbours, however these are short term in nature.

Neighbour concerns were also raised regarding the potential for increased damage to the shared access road during construction and due to increased use, however, this is not a material planning consideration but a civil matter.

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: 23/09/2024

