

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: Subdivide existing dwelling to form 2 dwellings (Use Class 1) and 1 self catering unit (Use Class 8) and demolish section of wall to create additional vehicle access.

LOCATION: La Vrangue Farm, Rue De La Vrangue, Forest.

APPLICANT: Ms A Dance

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: 17/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects: 3794 PL01B, PL02B, PL03A, PL04B, PL05A

Application Ref: FULL/2024/1139

Property Ref: H003270000

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 south facing windows which serve the first floor dressing room and the ground floor study of Unit 2 must be glazed with obscure glass to a minimum privacy level 3 on the Pilkington scale (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and this window shall be retained as such thereafter.

Reason - To protect neighbour privacy and amenity.

5.Prior to first occupation of the dwelling hereby permitted, full details of the proposed shed at the rear of Unit 3 shall be provided and approved in writing, the shed shall be provided in accordance with the approved details. The shed shall thereafter be retained and maintained in perpetuity for the purposes of cycle storage.

Reason - To ensure at satisfactory form of development and encourage the use of bicycles as an alternative to the car.

6.Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

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

Expiry Date: This permission will cease to have effect on 17/01/2028 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/2024/1139
Property Ref: H003270000
Valid date: 25/07/2024
Location: La Vrangue Farm Rue De La Vrangue Forest Guernsey
GY8 0HS
Proposal: Subdivide existing dwelling to form 2 dwellings (Use Class 1)
and 1 self catering unit (Use Class 8) and demolish section of
wall to create additional vehicle access.
Applicant: Ms A Dance

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 south facing windows which serve the first floor dressing room and the ground floor study of Unit 2 must be glazed with obscure glass to a minimum privacy level 3 on the Pilkington scale (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and this window shall be retained as such thereafter.

Reason - To protect neighbour privacy and amenity.

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Reason - To ensure a satisfactory form of development and encourage the use of bicycles as an alternative to the car.

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

OFFICER'S REPORT

Site Description:

The application site comprises a detached property situated to the south of La Rue de la Vrangue. Surrounding the site, the area comprises of agricultural fields with some residential development in the wider area.

The site is situated Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan. The building is also pre-1900.

Relevant History:

FULL/2024/1140- Convert, extend and alter outbuilding/garage to form dwelling with associated works and create vehicle access to north boundary.

-Refused

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

Planning permission is sought to subdivide the existing dwelling into two residential dwellings (use class 1) and one self-catering unit (use class 8), along with associated works. The proposal also includes the demolition of an existing section of wall to create an additional vehicle access.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

OC1: Housing Outside of the Centres

OC8(A): Visitor Accommodation Outside of the Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Representations:

La Société raised concern regarding the reclassification of agricultural land to domestic garden, particularly given the extent of the new curtilage and location adjacent to the Agriculture Priority Area.

Officer Note- this aspect of the proposal has since been removed from the application.

Consultations:

N/A

Summary of Issues:

The key issues in this case relate to the principle of the proposed change of use, the future living environment of occupiers of the dwellings along with parking/access arrangements.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Policy OC1 makes provision for the subdivision of a dwelling into two or more self-contained units and provides a gateway for the proposal. The scheme must demonstrate how the development is compatible with the character and amenities of the area, provide a satisfactory living environment for occupiers and should not include more than a modest extension (not relevant in this case). Policy OC8(A) allows for new visitor accommodation outside of the main centre where it is created through a change of use of existing buildings or conversion of redundant buildings and where proposals accord with all other relevant policies of the Island Development Plan.

The area does not have a particular character of residential development, due to the relatively sparse residential use in the surrounding area and variety of sizes and styles. This means that the introduction of an additional residential dwelling through the subdivision of La Vrangue Farm would not be out of character or incompatible with surrounding uses in line with the aims of Policy OC1 or OC8. The subdivision of a large dwelling into two smaller dwellings and one self-catering unit also represents efficient and effective use of land/buildings by making better use of an existing dwelling.

External alterations proposed include the introduction of a solid roof, with rooflights above the existing conservatory, the enlargement of an existing window opening to the frontage to form a new front door into Unit 1, and the erection of new fencing to the rear of Unit 3 to subdivide the plots. Other works include a new oil tank for unit 2 to the front of the site, along the roadside boundary, and also the creation of a new vehicular access to the northwest corner of the site. A shed is also shown within the garden of Unit 3, and for which no details are provided.

The introduction of the solid roof to the rear of Unit 2 is acceptable, and the insertion of a new door to the front of Unit 1 is in-keeping with the host dwelling and would not cause harm to the character or appearance of the surrounding area in accordance with the aims of Policy GP8: Design.

The introduction of rooflights and subdivision of the dwelling will not result in an unacceptable increase in the potential for overlooking and loss of privacy to surrounding occupiers as there are no residential dwellings adjacent to the site.

The layout of accommodation is such that each property will be dual aspect and will benefit from adequate sunlight and daylight. To maintain the mutual privacy for the occupants of units 2 and 3, the rear facing windows which serve the study and first floor dressing room of Unit 2 will be obscure glazed. No harmful overlooking is anticipated from other first floor windows.

Garden areas to the rear of each of the dwellings have been provided, and are appropriately screened to ensure sufficient private amenity space is provided for each dwelling.

The previous concerns regarding the small amenity space for Unit 3 which would be entirely surrounded by the garden of Unit 2, with potential for harmful overlooking

from the adjacent raised decking, has been ameliorated by the inclusion of the existing mature hedge screen within the garden of Unit 3, which both enlarges the garden and ensures the retention of the screening is within the control of Unit 3.

Overall therefore, the scheme would provide a satisfactory living environment for the occupiers of the proposed dwellings and accords with Policies OC1 and GP8 of the IDP.

Unit 3 has all facilities available on ground level and through the conversion of the sitting room/study/dining room, a ground floor bedroom could be provided, and these are therefore accessible to and within the building for people of all ages and abilities.

Unit 1 is a holiday let and its small scale means it is more constrained in terms of offering accessible accommodation. The scheme overall, accords with Policy GP8 in this respect.

The introduction of a new vehicular access is acceptable in terms of highway safety and road traffic management as the site is located Outside of the Centre on a quiet road where vehicle speeds are generally low. The parking has now been arranged to avoid the parking of vehicles directly in front of the garage door, preventing access being blocked to the garage. The level of parking proposed to serve both units is considered satisfactory and any additional traffic movements generated would not cause harm to the amenities of the neighbouring dwelling. The subdivision of the site will not result in the unacceptable intensification of the use of accesses at the site nor have an adverse impact on the local road network in accordance with Policies IP7 and IP9 of the IDP.

A shed is proposed to Unit 3 although no elevations have been provided, as this is acceptable in the proposed location in principle, additional details will be secured by condition and this will be adequate for cycle storage.

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.

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

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 14/01/2025

