

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 first floor extension to outbuilding/store, demolish glasshouse and erect 1.5 storey link extension to south elevation of outbuilding/store. (Revised scheme).

LOCATION: Les Jehans Farm, Ruelle Des Jehans, Torteval.

APPLICANT: Mr & Mrs R Ridout

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: 03/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6422/A/5C

Application Ref: FULL/2024/1514

Property Ref: G001770000

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. Within eight weeks of the new access being formed, the existing access shall be closed permanently with a granite wall, and the boundary walls to either side of the new access shall be fully completed in accordance with the approved plans. For all new stonework to the roadside wall the stone to be used shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To minimise the number of points of access and to respect the character and appearance of the Conservation Area.

5. No cladding shall be brought to the site until a finished sample of the cladding material to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To avoid any ambiguity with the approved drawings, and in interests of visual amenity and to respect the character of the Conservation Area.

6. Prior to commencement of works to the roof, large-scale drawings at an appropriate scale (including elevations and sections) of the flat roof link shall be submitted to and approved by the Authority. The flat roof link shall thereafter be installed in accordance with the approved details.

Reason - To ensure the character and appearance of the Conservation Area is conserved.

7. For the avoidance of doubt, this decision permits the proposed garage/store/games room to be used only for purposes incidental to the enjoyment of the main dwelling house, unless in accordance with a use permitted under the Land Planning and

Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance. 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.

Reason - Due to the internal and external size, form and appearance of the proposed structure, it is necessary and reasonable to attach a planning condition to this decision to ensure that the outbuilding remains incidental to the primary use of the dwelling-house (Jehans Farm), and does not become severed from that property.

Expiry Date: This permission will cease to have effect on 03/12/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note that any alterations to modify the garage doors hereby approved to create further ancillary accommodation, would require a separate application and would be considered on its own merits and advertised accordingly, which may be approved, or refused planning permission.

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/2024/1514
Property Ref: G001770000
Valid date: 09/09/2024
Location: Les Jehans Farm Ruelle Des Jehans Torteval Guernsey
GY8 ORE
Proposal: Erect first floor extension to outbuilding/store, demolish
glasshouse and erect 1.5 storey link extension to south
elevation of outbuilding/store. (Revised scheme).

Applicant: Mr & Mrs R Ridout

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. Within eight weeks of the new access being formed, the existing access shall be closed permanently with a granite wall, and the boundary walls to either side of the new access shall be fully completed in accordance with the approved plans. For all new stonework to the roadside wall the stone to be used shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To minimise the number of points of access and to respect the character and appearance of the Conservation Area.

5. No cladding shall be brought to the site until a finished sample of the cladding material to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To avoid any ambiguity with the approved drawings, and in interests of visual amenity and to respect the character of the Conservation Area.

6. Prior to commencement of works to the roof, large-scale drawings at an appropriate scale (including elevations and sections) of the flat roof link shall be submitted to and approved by the Authority. The flat roof link shall thereafter be installed in accordance with the approved details.

Reason - To ensure the character and appearance of the Conservation Area is conserved.

7. For the avoidance of doubt, this decision permits the proposed garage/store/games room to be used only for purposes incidental to the enjoyment of the main dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance. 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.

Reason - Due to the internal and external size, form and appearance of the proposed structure, it is necessary and reasonable to attach a planning condition to this decision to ensure that the outbuilding remains incidental to the primary use of the dwelling-house (Jehans Farm), and does not become severed from that property.

INFORMATIVES

Please note that any alterations to modify the garage doors hereby approved to create further ancillary accommodation, would require a separate application and would be considered on its own merits and advertised accordingly, which may be approved, or refused planning permission.

OFFICER'S REPORT

Site Description:

The application site, Les Jehans Farm, consists of a large traditional farmhouse with a mix of garden and agricultural land to the rear. An outbuilding and glasshouse lie to the front of the dwelling.

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

Relevant History:

FULL/2023/2471	Demolish glasshouse, erect 1.5 storey extension to south of existing single storey outbuilding/store.	Granted
FULL/2023/1257	Demolish glasshouse, erect single storey garage/outbuilding to south of existing outbuilding. Infill existing vehicle access and create new gated vehicle access to west roadside boundary.	Granted
FULL/2019/1222	Demolish existing glasshouse and erect double garage (west boundary).	Granted
FULL/2017/3132	Block up vehicular access and create new vehicle access.	Granted

Existing Use(s):

Residential

Brief Description of Development:

Planning permission was granted earlier this year (2024) to demolish the glasshouse and erect a 1.5 storey outbuilding (FULL/2023/2471). The approved outbuilding includes a 3bay garage at ground level and a store and shower room at first floor level. The outbuilding incorporated two dormer windows to the south elevation, and rooflights to the north.

Planning permission is now sought to extend the existing lean-to outbuilding at first floor level to create a games room at first floor level. Little justification for the changes have been provided. The proposed outbuilding will take the form of a double-pile roof, with a flat roof link. The proposal will be finished in a slate roof and the walls finished in timber cladding.

The total floor space of the structure would be approximately 150sqm, 80sqm at ground floor level (including the garage and store) & 70sqm at first floor level (of which includes part of the approved games room and shower room under application FULL/2023/2471). Consequently, the proposed extension at first floor level, the subject of this application, equates to 26sqm.

As per the previous applications, it is also proposed to infill the existing vehicular access and create a new vehicular access point along the roadside boundary.

The application was deferred to request clarification needed over its use, materials and general detailing. Some concerns were also expressed over the mass and bulk of the structure.

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

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable development
GP13: Householder development

Planning Advice Note 1 – Ancillary/associated living accommodation units.

Representations:

None

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- Whether the use of the garage/outbuilding is incidental and/or ancillary to the main dwelling.
- The impact of the development on the character and appearance of the Conservation Area.
- The impact of the development on neighbour amenity.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

1.5 storey garage/outbuilding:

The principle of erecting a 1.5 storey garage in this position has already been established as part of application FULL/2023/2471.

The incorporation of a double-pile roof with a flat roof slate link will inevitably increase the mass and bulk of the development when viewed in the Conservation Area, at varying ranges. Whilst some concerns still remain over the cumulative mass and bulk of the development given its close proximity to the road, the additional extension at first floor level will to some degree sit against the backdrop of the much larger, main house, and therefore in this particular case, its physical relationship and association to the main house is relative and is in context with its immediate surroundings. Consequently, the development would not cause adverse harm to the character or appearance of the Conservation Area that would be sufficient enough to rebut the general support in favour of householder development to reasonably justify refusal.

In light of the amendments secured, the flat roof junction between the approved garage and proposed extension achieves an acceptable design that will 'conserve' the character and appearance of the Conservation Area when taking into account its recessed positioned, and angled profile. It is however necessary and reasonable to request close-up drawings of this junction, at an appropriate scale, as it will be visible in the Conservation Area given the orientation of the double-pile roof and its relationship to the road.

The agent has also clarified that the approved 1.5 storey garage and the proposed first floor extension will be set on different building lines and finished in different materials. These two aspects will help to reduce its visual mass and bulk, thereby creating a more dominant and subservient aspect of the garage/outbuilding when 'read' as a whole.

Consequently, the size of the extension, coupled with its materials and detailing is considered to 'conserve' the character and appearance of the Conservation Area, subject to appropriate conditions.

Use:

Due to the size of the incidental accommodation (150sqm, comprising a garage, store and games rooms), it is considered necessary and reasonable to attach a planning condition to ensure that it remains incidental to the main house.

It is however recognised that planning permission would not be needed should the ground floor store and first floor games room become habitable accommodation in time, and therefore used for ancillary purposes associated with the host dwelling. Despite its size, the agent has provided some reassurance that the outbuilding will not become severed from the host dwelling, and therefore is considered to accord with Planning Advice Note 1.

It is however noted that any alterations to modify the garage doors to create ancillary accommodation, would require a separate application and would be considered on its own merits and advertised accordingly, which may be approved, or refused planning permission.

Whilst the size of the proposed outbuilding raises some concerns (and adopts the size, form and appearance of a new dwelling), the close proximity and relationship between the garage/outbuilding and the main house is such that the building could not be easily severed from the host dwelling. Moreover, the proposed outbuilding will be served by one access point, thereby further reducing the opportunity for the outbuilding to become severed from the main house. On this basis, the use of the outbuilding/garage is acceptable in this particular circumstance.

Access:

Similar to the previous applications, it is considered reasonable and necessary to ensure that the existing vehicular access is blocked up with appropriate materials and occurs within a reasonable timeframe once the new access point is created.

Overall, for the purposes of Policy GP4, the proposal is considered to have a 'neutral' effect when balancing the limited visual harm and the proposed improvements to highway safety.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Date: 26/11/24

