

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 single storey outbuilding/pool house and hardstanding to north of site.

LOCATION: Orchard House, La Ville Baudu, Vale.

APPLICANT: Mr T Corbin & Mrs S Coxon

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: 24/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects: 1200-02-1000 Rev A, 2000 Rev A, 2001 Rev A, 2700 Rev A

Application Ref: FULL/2024/1521

Property Ref: C010720000

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 Orchard House, 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.

Reason - Due to the size, distance, and functionality 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 (Orchard House), and does not become severed from that property to form an independent dwelling unless planning permission is sought and granted for such a proposal.

Expiry Date: This permission will cease to have effect on 24/10/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is within an area of known archaeological importance. If anything of archaeological interest is uncovered during site works, it is recommended that you contact the States Archaeologist, Culture & Heritage Service, to gain advice or make arrangements for archaeological recording. The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

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/2024/1521
Property Ref: C010720000
Valid date: 04/09/2024
Location: Orchard House La Ville Baudu Vale Guernsey GY3 5AA
Proposal: Erect single storey outbuilding/pool house and hardstanding to north of site.

Applicant: Mr T Corbin & Mrs S Coxon

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 additional accommodation hereby permitted shall remain an integral part of and incidental to the principal dwelling presently known as Orchard House, 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.

Reason - Due to the size, distance, and functionality 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 (Orchard House), and does not become severed from that property to form an independent dwelling unless planning permission is sought and granted for such a proposal.

INFORMATIVES

The application site is within an area of known archaeological importance. If anything of archaeological interest is uncovered during site works, it is recommended that you contact the States Archaeologist, Culture & Heritage Service, to gain advice or make arrangements for archaeological recording. The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

OFFICER'S REPORT

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Brief Description of the site:

The site comprises of a detached two storey dwelling and associated garden to the south and fronting onto the highway, La Ville Baudu. Planning permission was granted in 2020 to retrospectively change the use of agricultural land to domestic garden.

Permission was later sought to install a swimming pool (FULL/2022/1379), and a detached garage and pool house to the rear (north) of the site (FULL/2022/1630).

The site is Outside of the Centres and is bounded to the west and north by a Conservation Area as set out in the Island Development Plan.

Planning permission is sought to erect detached single storey outbuilding, to be used as a pool house, and hardstanding to the north of the site. The scheme is similar in size and position to that approved in 2022 (FULL/2022/1630). It is noted that the proposed pool house will incorporate a store room to the rear (north). An existing shed housing pool equipment is also noted on the ground floor plan, but not on the survey drawings. It is considered that the existing shed is exempt. Excavation works and the footings have been constructed on site.

Relevant History:

FULL/2022/1630	Erect detached single storey garage and hard-surfacing to north-west of the site and single storey pool house to north of site.	Granted
FULL/2022/1379	Install swimming pool and hard surfacing.	Granted
FULL/2020/0380	Change of use of agricultural land to domestic garden (retrospective)	Granted
FULL/2022/1379	Install swimming pool	Granted

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation
 accords with policy
 within curtilage
 design acceptable

✓
✓
✓
✓

visual amenity acceptable
 no material neighbour impact
 traffic not affected

✓
✓
✓

Policies considered most relevant:

GP8 Design
 GP9 Sustainable Development
 GP13 Householder Development

Conclusion/Brief comment:

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.

Despite being some distance from the house the whole of the site is recognised as domestic curtilage. The proposed pool house adopts a good standard of design by virtue of the scale, form, massing, siting and materials.

The proposed pool house is in a similar position to that approved in 2022 (FULL/2022/1630). It is considered necessary and reasonable to attach a condition to the decision to ensure that the pool house remains incidental to the main dwelling, and does not become severed from the main dwelling given its size, accommodation and existing facilities.

Due to the secluded nature of the site, the proposal will not have a detrimental impact on visual amenity, nor on the surrounding built environment.

The amenities of neighbouring properties will not be adversely affected as a result of the development proposed.

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; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 22/10/24