

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 extension to north (side) elevation.

LOCATION: Rossini, La Ferme Es Frases, St. Saviour.

APPLICANT: Mr & Mrs Newton

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: 23/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne Architects - B3-10574-S1-10, 11, 12, 13 Rev 1 & 14.

Application Ref: FULL/2024/1574

Property Ref: E00174C001

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.

Expiry Date: This permission will cease to have effect on 23/10/2027 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/2024/1574
Property Ref: E00174C001
Valid date: 20/09/2024
Location: Rossini La Ferme Es Frases St. Saviour Guernsey GY7 9FS
Proposal: Erect single storey extension to north (side) elevation.

Applicant: Mr & Mrs Newton

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.

OFFICER'S REPORT

Site Description:

The application site comprises a detached dwelling-house located at the end (north) of a small row of houses sited on the former Strawberry Farm site.

The site is served by an elongated field to the rear (west) of the dwelling-house bounded by earth and hedgebanks, recognised as agricultural land.

Planning permission was granted in 2022 to erect a garden room (outbuilding) to the front of the dwelling, adjacent to the north boundary and to erect a glasshouse on agricultural land (FULL/2022/1472). The approved garden room/outbuilding serves as a home office, shower room and a guest bedroom. The permission remains extant.

Relevant History:

FULL/2022/1472	Erect garden room (outbuilding) to north boundary and erect glasshouse on agricultural land to north of site.	Granted
PREA/2022/0845	Extend and alter dwelling	Pre-application enquiry

Existing Use(s):

Residential – dwelling-house.

Agricultural land – field to the rear (west) of the dwelling-house.

Brief Description of Development:

Planning permission is sought to erect a single storey pitched roof extension to the north (side) elevation of the house. The proposal will be in the same style and materials as the existing building.

The proposed extension will serve as a gym/play room, pantry, wet room, office/guest bedroom.

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

GP8 Design

GP9 Sustainable Development

GP13 Householder Development

Representations:

The Authority has received a letter of representation from one party objecting to the original proposal. Grounds for objection principally relate to the following issues:-

- Unacceptable negative impact on the area.
- Size of extension.
- Location of the site is within an Agricultural Priority Area.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- The impact of the development on the character and appearance of the 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.

The proposal adopts a good standard of design by virtue of its scale, form, massing, siting and materials. Due to its position and design, the proposal will not have a detrimental impact on the character or appearance of the main dwelling or in the wider locality, or the amenities of neighbouring residents.

Whilst it is recognised that the structure is located immediately adjacent to a sensitive boundary, given that the proposed scale and form of the structure will be 'read' against the backdrop of the main house, and achieves a cohesive design, there is unlikely to be a detrimental effect on the landscape character or amenity of the surrounding area.

Whilst it is recognised that extant permission remains on the site for a similar size structure, serving similar ancillary and incidental uses, it is not considered necessary to attach a condition that would only allow one permission to be implemented as the ancillary and incidental buildings (FULL/2022/1472) and this application, could not

easily become severed from the main dwelling given the constraints, relationship and characteristics of the site, and therefore there is no planning reason in this particular circumstance to restrict the implementation of either structure.

Despite the size of the proposed structure and the approved outbuilding (FULL/2022/1472), sufficient external amenity space remains on the site.

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: 23/10/24

