

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 shed (Retrospective).

LOCATION: Clos Au Pre, Route De Carteret, Castel.

APPLICANT: Mrs J Parsons & Mrs M Roberts

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: 18/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ALN-2024-S1-01

Application Ref: FULL/2024/2041

Property Ref: D015290000

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 six weeks of the date of the approval the proposed cladding and staining of the structure must be completed as per the approved drawings.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 18/02/2028 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/2024/2041
Property Ref: D015290000
Valid date: 09/12/2024
Location: Clos Au Pre Route De Carteret Castel Guernsey GY5 7YG
Proposal: Erect shed (Retrospective).

Applicant: Mrs J Parsons & Mrs M Roberts

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.

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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 six weeks of the date of the approval the proposed cladding and staining of the structure must be completed as per the approved drawings.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

OFFICER'S REPORT

Site Description:

The property known as 'Clos au Pre' is a one and a half storey pre-1900 dwelling which is set back from and faces south onto Route de Carteret. There are residential properties in each direction around the large rear garden, the majority of which is agricultural land as it used to have glasshouses on it. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

A pre-application earlier in 2024.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This is a retrospective application for a shed/outbuilding in the rear domestic curtilage of the dwelling.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been one letter of representation and the issues are;

"A neighbour has concerns regarding the application, based on what they have witnessed during 2024 since the "Shed" was first built. This is clearly not a "Shed" that has been erected, and has not been used as such when it was built in early 2024. It has been used as a makeshift commercial car repair garage. During summer, there were 10 cars parked on the land at any one time, with cars being worked on in the shed/garage constantly. It was at one stage like a car scrap yard, as the cars were low end value vehicles, which would also be raced around the field at the end of the garden with friends.

I strongly object to the application being granted for the reasons mentioned above and if they really do want a shed, then it certainly does not need to be the size that it is, which as I mentioned above, is for the sole purpose of repairing cars.”

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

The property already has a detached garage, and a small garden shed, this structure would be the third outbuilding within the domestic curtilage. However, at 19.5sqm, it is not considered to be too big for the site and it is tucked away at the rear of the property.

The scale and mass of the structure is not considered to have any detrimental impacts on the character and appearance of the surrounding area, nor is it considered to have any adverse effects on either of the immediate neighbours.

However, at present the structure does not look finished with a tarp and tyres wrapped around the base. A condition shall be added to ensure the proposed cladding and staining is applied in a timely manner.

The use of the outbuilding is not part of this application, and as long as the use complies with the working from home exemption then using the garage to repair some cars is considered acceptable.

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

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application. Where relevant the issues are considered in section 2 above.

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

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 12/02/2025